DOCUMENT RESUME

ED 100 171 FL 006 619

TITLE	Bilingual Education Act; Hearings Before the General Subcommittee on Education of the Committee or Education and Labor, House of Representatives, Ninety-Third Congress, Second Session.
INSTITUTION	Congress of the U.S., Washington, D.C. House Committee on Education and Labor.
PUB DATE	74
NOTE	490p.
AVAILABLE FROM	Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402
EDRS PRICE	MF-$0.90 HC-$23.40 PLUS POSTAGE
DESCRIPTORS	*Bilingual Education; *Bilingual Schools; *Bilingual Students; Bilingual Teachers; Child Development; *Educational Legislation; Elementary Secondary Education; *Federal Legislation; Teacher Education
IDENTIFIERS	*Legislative Hearings

ABSTRACT

Three bills concerning training teachers for bilingual education programs, qualifications for schools receiving federal aid for bilingual education, and expansion of programs of bilingual education, teacher training and child development were the subjects of these hearings. The texts of the bills precede the hearing transcripts. Testimony was given by government officials from the Departments of Justice and Health, Education and Welfare, educators, legislators, and other concerned individuals. (CK)

ED 100171

BILINGUAL EDUCATION ACT

HEARINGS

BEFORE THE

GENERAL SUBCOMMITTEE ON EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

ON

H.R. 1085, H.R. 2490, AND H.R. 11464

BILLS TO AMEND TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 TO EXTEND, IMPROVE, AND EXPAND PROGRAMS OF BILINGUAL EDUCATION, TEACHER TRAINING, AND CHILD DEVELOPMENT

HEARINGS HELD IN WASHINGTON, D.C.,
MARCH 12, 14, 19, 21, 27, AND 28, 1974; AND NEW YORK, N.Y.,
MAY 10, 1974

Printed for the use of the Committee on Education and Labor
CARL D. PERKINS, *Chairman*

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U.S. GOVERNMENT PRINTING OFFICE
37-070 WASHINGTON : 1974

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BILINGUAL EDUCATION ACT

TUESDAY, MARCH 12, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
Washington, D.C.

The subcommittee met at 9:45 a.m., pursuant to call, in room 2175, Rayburn House Office Building, Hon. Lloyd Meeds, presiding.

Present: Representatives Meeds, Bell, Chisholm, Benitez, and Biaggi.

Staff members present: Jack Jennings, counsel; John Lee, minority legislative assistant; Eydie Gaskins, special assistant; Toni Painter, secretary.

Mr. Meeds. The General Subcommittee on Education is beginning today hearings on the general topic of bilingual education and on H.R. 1085, H.R. 2490, and H.R. 11464. I will insert in the record at this point copies of those three bills.

[Texts of H.R. 1085, H.R. 2490, and H.R. 11464 follows:]

[H.R. 1085, 93d Cong., 1st Sess.]

A BILL To authorize special appropriations for training teachers for bilingual education programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 703 of title VII of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b), and all references thereto, as subsection (c), and inserting after subsection (a) the following new subsection:

"(b) In addition to the sums appropriated pursuant to subsection (a), there is hereby authorized to be appropriated, not subject to clauses (7) and (8) of section 705(a) and clauses (2) and (3) of section 705(b), such sums as the Congress determines to be necessary for carrying out programs and projects for the purposes set forth in section 704(b).".

[H.R. 2490, 93d Cong., 1st Sess.]

A BILL To amend the Bilingual Education Act with respect to the qualification of schools in which programs under such Act may be carried out.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 704(a) of the Bilingual Education Act is amended by striking out "from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act".

Sec. 2. Section 704(c) of the Bilingual Education Act is amended by striking out "from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act".

[H.R. 11464, 93d Cong., 1st Sess.]

A BILL To amend title VII of the Elementary and Secondary Education Act of 1965 to extend, improve, and expand programs of bilingual education, teacher training, and child development.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Bilingual Education Amendments Act of 1973".

SEC. 2. Section 702 of the Bilingual Education Act is amended to read as follows:

"POLICY; APPROPRIATIONS; DEFINITIONS

"SEC. 702. (a) In recognition of the special educational needs of the large numbers of children who speak primarily a language other than English (as defined in subsection (c)(1)) in the United States, the Congress hereby declares it to be the policy of the United States to (1) encourage the establishment and operation of educational programs using bilingual educational methods and techniques and (2) for that purpose, provide financial assistance to local educational agencies in order to enable such agencies to carry out such programs in elementary (including preschool) and secondary schools which are designed to meet the special educational needs of such children.

"(b) Except as otherwise provided in this title, for the purpose of carrying out the provisions of this title, there is authorized to be appropriated $135,000,000 for the fiscal year ending June 30, 1974, and for each of the succeeding fiscal years ending prior to July 1, 1977; and there is further authorized to be appropriated for such purpose for each of such fiscal years such additional sums as the Congress may determine. From the sums so appropriated for any fiscal year—

"(1) The Commissioner shall reserve such amounts as may be necessary, but not in excess of 10 per centum thereof, for the purposes of sections 708, 709, 710, and 711; and

"(2) The Commissioner shall reserve not less than 33 1/3 per centum of that part thereof which is in excess of $35,000,000 for the purposes of section 704(b).

"(c) For purposes of this title—

"(1) the term 'children who speak primarily a language other than English' means children who—

"(A) were not born in the United States and whose native language is a language other than English,

"(B) were born in the United States and whose parents do not speak English, or

"(C) as defined under regulations of the Commissioner, come from environments where the language preference is other than English,

and, by reason thereof have difficulty speaking and understanding instruction in the English language:

"(2) the term 'native language', when used with reference to a child who speaks primarily a language other than English, means the language normally used by the child, or the parents of the child, or in the environments from which the child comes;

"(3) the term 'teacher of bilingual education' means a teacher with a speaking and reading ability in a language other than English in which bilingual education is offered, and with communicative skills in English; and

"(4) the term 'program of bilingual education' means a full-time program of instruction of children who speak primarily a language other than English (and for English-speaking children who desire to participate in such a program) in which—

"(A) there is instruction, given both in the native language of the child who speaks primarily a language other than English and in English, in all courses or subjects of study which are required of a child in preschool, elementary school, or secondary school, as the case may be, by or pursuant to the law of the State:

"(B) both the native language of the child and English are studied, including the speaking, reading, and writing thereof:

"(C) there is study of the history and culture of the nation, territory, or geographical area with which the child's native language is associated and of the history and culture of the United States."

SEC. 3. Section 703 of such Act is amended to read as follows:

"REQUIREMENTS FOR PROGRAMS OF BILINGUAL EDUCATION

"SEC. 703. (a) In those courses of study in which the speaking and understanding of the English language is not essential to understanding of the subject matter including, but not limited to, art, music, and physicial education, a program of bilingual education assisted under this title shall make provision for the participation of children who speak primarily a language other than English in regular classes, in which cases special attention in those courses or subjects of study shall be given to the language and cultural heritage of the children who speak primarily a language other than English participating therein.

"(b) A program of bilingual education assisted under this title shall provide for the voluntary enrollment therein, on a regular full-time basis, of children whose language is English, in order that they may learn the language and cultural heritage of the children who speak primarily a language other than English with whom they associate and for whom the particular program of bilingual education is designed. In no case shall the number of English-speaking children constitute more than one-half of the total number of children participating in a particular program of bilingual education.

"(c) Children enrolled in a program of bilingual education assisted under this title shall, if graded classes are used, be placed, to the extent practicable, in classes with children of approximately the same age and level of educational attainment. If children of significantly varying ages or levels of educational attainment are placed in the same classes, the program of bilingual education shall make special provision to insure that each child is provided with instruction which is appropriate for his level of educational attainment.

"(d) Any parent whose child has been enrolled in a program of bilingual education under this title shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from said program by written notice to the school authorities of the school in which his child is enrolled or to the school committee of the city, town, or the school district in which his child resides.

"(e) The Commissioner, by regulation, shall establish, with respect to programs of bilingual education assisted under this title, minimum requirements regarding pupil-teacher ratios, teacher qualifications and certification, and other factors affecting the quality of instruction offered in such programs."

SEC. 4. (a) Section 704(a) of such Act is amended by striking out "such", and by striking out "of limited English-speaking ability" and inserting in lieu thereof "who speak primarily a language other than English".

(b) Section 704(b) of such Act is amended to read as follows:

"(b) Training designed to prepare persons to participate in such programs, including training of teachers, counselors, administrators, paraprofessionals, teacher aides, and parents, and training of persons to teach such persons, which shall stress opportunities for career development, advancement, and lateral mobility, and shall include special training programs designed to meet individual needs and to encourage reform, innovation, and improvement in applicable education curriculums in graduate education, in the structure of the academic profession, and in recruitment and retention of higher education and graduate school facilities as related to bilingual education; and".

(c) Section 704(c) of such Act is amended by—

(1) striking out "such" the first time it appears,

(2) striking out "of limited English-speaking ability" and inserting in lieu thereof "who speak primarily a language other than English",

(3) striking out "activities" and inserting in lieu thereof "programs of bilingual education and related activities conducted in conjunction therewith",

(4) striking out clause (1) thereof and redesignating clauses (2) through (8) as clauses (1) through (7), respectively, and

(5) striking out "and" after clause (6) as so redesignated, striking out the period at the end of clause (7) as so redesignated and inserting in lieu thereof "; and", and adding at the end thereof the following new clause:

"(8) auxiliary community activities designed to facilitate the implementation of such programs and activities."

SEC. 5. (a) Section 705 (a) of such Act is amended by striking out "of limited English-speaking ability" wherever it occurs and inserting in lieu thereof "who speak primarily a language other than English", by striking out "and" after clause (7) thereof, by striking out the period at the end of clause (8) and inserting in lieu thereof "; and", and by adding at the end thereof the following new clause:

"(9) be developed (A) in open consultation with parents of bilingual children, teachers, and, where applicable, secondary school students, including public hearings at which such persons have had a full opportunity to understand the program for which assistance is being sought and to offer recommendations thereon, and (B) with the participation and approval of a committee composed of, and selected by such parents and teachers, and, where applicable, secondary school students of which at least one-half the members shall be such parents."

(b) Section 705(b) of such Act is amended by striking out "of limited English-speaking ability" wherever it occurs and inserting in lieu thereof "who speak primarily a language other than English".

(c) Section 705(b)(2) is amended by striking out clause (B) thereof and by redesignating clause (C) thereof as clause (B).

(d) Section 705(b) of such Act is amended by striking out "and" after clause (3) thereof, by striking out the period at the end of clause (4) and inserting in lieu thereof "; and ", and by adding at the end thereof the following new clause:

"(5) the Commissioner determines that there will be a bilingual education program for each school of the local educational agency having 5 per centum of the children in average daily attendance in such school who are children who speak primarily a language other than English, or fifty such children, whichever is the lesser."

SEC. 6. (a) Section 706(a) of such Act is amended by inserting "a State educational agency or" after "Indian children".

(b) The first sentence of section 706(b) of such Act is amended by striking out "703" and inserting in lieu thereof "702(b)", and by striking out "the policy of section 702 with respect to individuals" and inserting in lieu thereof "bilingual education programs for children".

(c) The second sentence of section 706(b) is amended by inserting "(a)" after "702"

SEC. 7. Such Act is amended by striking out section 708 thereof and inserting in lieu thereof the following new section:

"STATE SUPERVISION OF BILINGUAL PROGRAMS

"SEC. 708. (a) If for any fiscal year the Commissioner determines with respect to any State that—

"(1) the State educational agency of such State has developed high-quality leadership capabilities for the supervision of bilingual education programs in operation by local educational agencies in such State, or, with assistance under section 711(f), will for such fiscal year develop and maintain such capability;

"(2) there is in effect at the beginning of such fiscal year for such State a statute enacted under the constitution of such State designed to provide equal educational opportunity for children who speak primarily a language other than English through bilingual education programs;

"(3) there are a substantial number of bilingual education programs in operation by the local educational agencies in such State; and

"(4) the expenditures for such fiscal year from State revenues for bilingual education programs operated by local educational agencies in such State constitute not less than 25 per centum of the total expenditures for such programs in such State;

the Commissioner shall, upon application from the State educational agency of such State, make provision for the submission and approval of a State plan for the supervision of such State educational agency of bilingual education programs in such State assisted under this title. Such State plan shall contain such provisions, agreements, and assurances as the Commissioner shall, by regulation, determine necessary and proper to achieve the purposes of this title.

"(b) The Commissioner shall pay for each fiscal year to each State educational agency which has had a State plan submitted and approved under subsection (a) such sums as may be necessary for the proper and efficient administration of such State plan. The amount paid by the Commissioner to any

State educational agency under the preceding sentence for any fiscal year shall not exceed an amount equal to 5 per centum of the aggregate of the amounts paid under this title to local educational agencies in the State of such State educational agency. For the purpose of this subsection there is authorized to be appropriated such sums as may be necessary for any fiscal year.

"(c) The terms of any application, and of any State plan, submitted and approved under this section for any fiscal year shall constitute a contract between the agency submitting the application or plan and the Commissioner which shall be specifically enforceable in any court of the United States.

"BUREAU OF BILINGUAL EDUCATION

"SEC. 709. (a) There shall be in the Office of Education a Bureau of Bilingual Education (hereinafter referred to as the 'Bureau') through which the Commissioner shall carry out his responsibilities under this title.

"(b) (1) The Bureau shall be headed by a Director of Bilingual Education (hereinafter referred to as the 'Director'), appointed by the Commissioner, to whom the Commissioner shall delegate all of his delegable functions under this title. The Director shall be placed in grade 17 of the General Schedule set forth in section 5332 of title 5, United States Code.

"(2) The Bureau shall be divided into such branches, units, and offices as the Director determines to be appropriate in order to enable him to carry out his responsibilities effectively.

"(3) In order to assist the Director in carrying out his responsibilities, there are hereby established two positions in the Bureau, which shall be placed in grade 16 of the General Schedule set forth in section 5332 of title 5, United States Code, and one of which shall be filled by a Deputy Director who shall act as Director in the event of the absence or disability of the Director or of a vacancy in the office of Director.

"(4) The positions created by this subsection shall be in addition to, and without regard for, positions and institutions under section 5108 of title 5, United States Code.

"(c) The Director, in consultation with the National Advisory Council on Bilingual Education established under section 710, shall prepare and, not later than November 1 of each year, shall submit, through the Commissioner, to the Congress and the President an annual report on the condition of bilingual education in the Nation. Such report shall include—

"(1) a national assessment of the educational needs of children who speak primarily a language other than English and of the extent to which such needs are being met from Federal, State, and local efforts, including, not later than July 1, 1976, a census of the number of such children in the States and a plan to be carried out in five years for extending bilingual education programs to all such preschool and elementary school children, including a phased plan for the training of the necessary teachers and other educational personnel necessary for such purpose, and detailed cost estimates for the expenditures necessary in each fiscal year for such purpose and the share thereof which may reasonably be expected to be borne by State and local government, charitable organizations, private institutions, foundations, and the Federal Government;

"(2) a report on the activities carried out under this title during the preceding fiscal year and the extent to which each of such activities achieves the policy set forth in section 702(a);

"(3) a statement of the activities intended to be carried out during the succeeding fiscal year, including an estimate of the cost of such activities; and

"(4) an assessment of the number of teachers and other educational personnel needed to carry out bilingual education programs in the States and a statement describing the activities carried out under this title designed to prepare teachers and other educational personnel for such programs.

"NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

"SEC. 710. (a) There is hereby established a National Advisory Council on Bilingual Education (hereinafter referred to as the 'Council'), to be composed of fifteen members (one of whom shall be appointed Chairman by the Secretary) appointed by the Secretary within ninety days after the date of the enactment of this section. At least eight of the members of the Council shall be persons experienced in dealing with the educational problems of children who speak primarily a language other than English. At least three members thereof shall be persons with general experience in the field of elementary and secondary education. At least two members thereof shall be full-time classroom teachers of demonstrated bilingual teaching abilities. At least two members thereof shall be experienced in the training of bilingual education teachers.

"(b) The Council shall advise the Commissioner in the preparation of regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications for grants thereunder. The Council may, at its option, submit a report of its own to the Congress and the President for any year, but such report must be made in accordance with the specifications set forth in section 709(c) and only if a majority of members state they are in substantial disagreement with the report of the Commissioner under such section for such year. If the majority of the Council so states, the report deadline of November 1 for any year may be postponed by the Commissioner until no later than November 15 of such year.

"(c) The Commissioner may appoint such special advisory and technical experts as may be useful and necessary in the functioning of the Council.

"SUPPORTIVE SERVICES AND ACTIVITIES

"SEC. 711. (a) The provisions of this section shall be administered jointly by the Commissioner and the Director of the National Institute of Education (notwithstanding the second sentence of section 405(b)(1) of the General Education Provisions Act) in accordance with regulations promulgated, after consultation with the Director of the National Institute of Education, by the Assistant Secretary for Education.

"(b) The National Institute of Education shall, in accordance with the provisions of section 405 of the General Education Provisions Act, carry out a program of research in the field of bilingual education in order to assist local educational agencies in planning and operating effective programs of bilingual education.

"(c) In order to test the effectiveness of research findings by the National Institute of Education and to demonstrate new or innovative practices, techniques, and methods of bilingual education, the Director of the National Institute of Education and the Commissioner are authorized to make contracts with public and private educational agencies, institutions, and organizations for such purpose.

"(d) In carying out their responsibilities under this section, the Commissioner and the Director of the National Institute of Education shall, through contracts with appropriate public and private agencies, institutions, and organizations—

"(1) develop models for bilingual education programs;

"(2) develop a model State statute designed to promote equal educational opportunity for children who speak primarily a language other than English through bilingual education methods and techniques;

"(3) develop and publish instructional materials and equipment suitable for use in bilingual education programs; and

"(4) establish and operate a national clearinghouse of information for bilingual education, which shall collect, analyze, and disseminate information about bilingual education.

"(e) The National Institute of Education is authorized to use funds appropriated pursuant to section 405(h) of the General Education Provisions Act for the purpose of carrying out subsections (b), (c), and (d), and there are authorized to be appropriated for such purpose such additional sums as the Congress may determine.

"(f) The Commissioner and the Director of the National Institute of Education are authorized to make contracts with State educational agencies for the development in such agencies of leadership capabilities in the field of bilingual education, in order that such agencies may be able to assist local educational agencies in providing bilingual educational opportunities for children who speak primarily a language other than English."

Mr. MEEDS. These hearings have three purposes. First of all, the subcommittee is interested in learning more about the Supreme Court's recent decision in *Lau* v. *Nichols* and in understanding the effects of that decision on local school districts and the states. Our witnesses today from the Departments of Justice, and Health, Education, and Welfare will speak to that issue.

Second, we would like to hear testimony on the effectiveness of the various Federal programs providing assistance for bilingual education. In particular, we are interested in the ESEA title VII program and in the bilingual education program and in the bilingual education program authorized by the Emergency School Aid Act.

Lastly, we are interested in hearing views on the issue of what the purpose of bilingual education ought to be. Is it to be simply to assist those who don't know English to learn English or is it to be to educate citizens in bilingualism and biculturalism?

I am pleased that we have as our first witnesses attorneys from the Departments of Justice and HEW who were involved in the *Lau* decision. These are Mr. Charles M. Cooke, Jr., Deputy Assistant Secretary for Legislation—Education, Department of Health, Education and Welfare; Mr. J. Stanley Pottinger, Assistant Attorney General, Civil Rights Division, U.S. Department of Justice; and Martin Gerry, Acting Director, Office of Civil Rights, Department of Health, Education, and Welfare.

You gentlemen may proceed in any manner you wish.

Mr. BOOKE. Mr. Pottinger will start it off.

STATEMENT OF STANLEY POTTINGER, ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE

Mr. POTTINGER. On January 21, 1974 the Supreme Court decided the case of *Lau* v. *Nichols*, holding that the failure of the San Francisco, Calif. School System to provide special programs designed to rectify the English language deficiency of approximately 1,800 students of Chinese ancestry, who do not speak or understand English, and to provide equal access of these students to the school district's instructional program is a violation of title VI of the Civil Rights Act of 1964.

The case was originally brought as a class action by non-English-speaking Chinese students in 1970. Because of its potential impact on the Government's enforcement responsibility under Federal law with respect to denials of equal educational opportunity based on national origin, the Department of Justice participated in this case in both the court of appeals and the Supreme Court as amicus curiae in support of the Chinese student class.

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides:

> No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 602 of the act authorized the Department of Health, Education, and Welfare—HEW—to issue rules, regulations, and orders to make sure that recipients of Federal aid under its jurisdiction conduct any Federal-financed projects consistently with paragraph 601. The regulations promulgated by HEW under this statute specify that recipients of Federal financial assistance under any program administered by HEW may not on the ground of race, color, or national origin:

> Provide any service, financial aid, or other benefit to an individual which is different, or is provided in a different manner from that provided to others under the program; * * * restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program; * * * deny an individual an opportunity to participation in the program through the provision of services or otherwise or afford him an opportunity to do so which is different from that afforded others under the program. * * * (45 C.F.R. 80.3(b)(1))

In conducting title VI compliance reviews pursuant to 45 CFR 80.7, the HEW Office for Civil Rights found in 1970 that certain common practices by school districts were effectively denying equality of educational opportunity to national origin-minority-group children with English language deficiencies. It accordingly issued on May 25, 1970, a memorandum of guidelines designed to clarify its policy concerning the responsibility of school districts to provide equal educational opportunity to such children. The memorandum provides in part:

> Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. (35 Fed. Reg. 11595; July 10, 1970)

In finding for the Chinese students the court noted (1) that private citizens have standing to assert their rights pursuant to title VI; (2) the San Francisco School District received large amounts of Federal financial assistance and has contractually agreed to comply with title VI; (3) HEW has the power to fix the terms on which its money allotments to the States shall be disbursed and that the regulations and guidelines promulgated pursuant to the statute were reasonable and consistent with the statute. The court emphasized that basic English skills are at the very core of our public school educational system and that these students who do not understand English are effectively foreclosed from any meaningful education.

In the U.S. brief and oral argument to the Supreme Court we also asserted that relief was required on the basis that the failure of the school district to meet the special educational needs of non-English-speaking students denied the class of students affected equal educational opportunities in violation of the 14th amendment to the Constitution. Following the long-standing judicial policy of not deciding constitutional issues when a statutory basis for the decision exists, the Supreme Court did not address itself to this issue.

It is significant that the Supreme Court relied heavily in its decision on the expertise of HEW in this area of its responsibilities. As subsequent testimony of HEW officials will indicate, that Department is taking significant enforcement action in this area. In conjunction with this activity, the Civil Rights Division of the Department of Justice has placed high priority on enforcement of the equal educational rights of national origin-minority groups. While this role is necessarily limited to a certain extent by the title VI basis of the *Lau* decision, inasmuch as our title VI jurisdiction is based on referral of cases from HEW under 45 CFR 80.8(a)(1), this Department stands ready to accept such referrals and plans to coordinate its activities with HEW to insure a vigorous enforcement role by the Federal Government.

A central issue to be addressed in this enforcement program is that of appropriate remedy. The decision in *Lau* left this question open on remand, only suggesting possible alternatives of (1) the teaching of English to students of Chinese ancestry who do not speak the language, or (2) giving instruction to this group in Chinese. The Court implicitly directed the school district to apply its expertise to the problem and rectify the situation.

One appropriate standard in view of these directions is to require the school board to devise an educational plan which promises reasonably and effectively to provide equal access to the educational program for those who do not understand English. This standard permits a school district to be innovative in its approach to the situation, rather than mandating any particular remedy, so long as it promised to eliminate any inequality of access to the educational program offered which is based on the national origin and native language of the student.

A second issue to be resolved in future cases is the point at which the duty to provide such instruction arises. Justice Blackmun noted in a concurring opinion that when only a very few non-English-speaking students exist in a school district, the majority opinion requiring special educational programs is not conclusive.

In view of the *Lau* decision the task ahead is formidable. Although the decision in *Lau* was concerned with students of Chinese ancestry, its logic—and indeed the language of title VI as well as the HEW regulations and guidelines—extends to students of many national origin language groups throughout the Nation.

Government agencies at all levels should carry out their respective responsibilities to assure that the mandate of the *Lau* decision is fully implemented.

Mr. Chairman, that concludes my summary testimony.

Mr. MEEDS. Thank you very much, Mr. Pottinger. I think what we will do is hear all of the witnesses and then examine them. Is that all right with everybody?

Mr. POTTINGER. May I interrupt briefly and ask to submit a copy of the brief of the United States in the *Lau* case which goes more fully to some of the questions relevant to the committee's inquiry?

Mr. MEEDS. In the absence of objection, the brief will be made a part of the record at this point. Without objection it is so ordered.

[The brief referred to follows:]

[No. 72-6520]

In the Supreme Court of the United States
October Term, 1973

Kinney Kinmon Lau, [illegible] al., petitioners
v.
Alan H. Nichols, et al.

On Writ of Certiorari to the United States Court
of Appeals for the Ninth Circuit

Memorandum For the United States
as Amicus Curiae

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INTEREST OF THE UNITED STATES

The United States has substantial responsibility under 42 U.S.C. 2000c–6, 2000d, and 2000h-2, with respect to denials of equal educational opportunity based on national origin, and we accordingly participated in this case in the court of appears as *amicus curiae* in support of the petitioners, and filed a memorandum in this Court in support of the petition for a writ of certiorari. We have previously expressed the government's view that a school district may be constitutionally required to provide programs to meet the special educational needs of racial or ethnic minority group children. See Memorandum for the United States as Amicus Curiae in *Keyes* v. *School District No. 1*, No. 71–507.[1]

The holding of the court of appeals in this case that respondents' practices do not violate Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (App. 120-121, n. 6), is contrary to the administrative construction given Section 2000d by the Department of Health, Education, and Welfare (Pet. Br. App. 1a-3a). The outcome of this case may thus affect the government's enforcement responsibilities under federal law where federal financial assistance is extended to school districts attended by large numbers of national origin-minority group children.

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[1] **Because the case was decided on other grounds, the Court had no occasion to reach this issue.**

STATEMENT

The essential facts in this case are not in dispute. English is the language of instruction in the public schools of San Francisco and is the native tongue of most of the students. There are, however, 2,856 Chinese-speaking students in the school district who do not speak or understand English. Some of these students (1,066) receive special help on a part-time or full-time basis.[2] But the rest (1,790), represented in this class action by petitioners, receive no assistance at all in learning the English language.

Consequently, while they are provided "the same facilities, textbooks, teachers and curriculum as is provided to other children in the district" (App. 128), they cannot read their textbooks, cannot understand their teachers, and cannot participate in classroom discussion. The result, as respondents themselves have stated, is that the non-English speaking child is "frustrated by [his] inability to understand the regular class work" (App. 101), performs poorly in school (App. 103), and "is almost inevitably doomed to be a dropout and become another unemployable in the ghetto (App. 103-104).

Petitioners sought an injunction requiring the school district to provide them special instruction in English. They argued that respondents' failure to provide such instruction violates the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et seq.* The district court denied relief (App. 113-115), and the court of appeals affirmed, with one judge dissenting (App. 166-139). The court of appeals held that, because petitioners' lack of proficiency in the English language "was not caused directly or indirectly by any State action" (App. 127), respondents have no duty to provide special instruction in English.

ARGUMENT

INTRODUCTION AND SUMMARY

The development of universal and compulsory education has led to the parallel development of legal principles to protect minority group children required to attend schools dominated by other racial, ethnic, or religious groups. See *Meyer* v. *Nebraska*, 262 U.S. 390; *West Virginia State Board of Education* v. *Barnette*, 319 U.S. 624; *Abington School District* v. *Schempp*, 374 U.S. 203; *Brown* v. *Board of Education*, 347 U.S. 483; *Wisconsin* v. *Yoder*, 406 U.S. 205. In San Francisco, as in the United States generally, English is the dominant language, and the school authorities have chosen it as the language of instruction. While that seems a reasonable decision, its effect is to disadvantage a substantial number of children in the district who speak and understand only Chinese.

In our view, both the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964 impose upon the school authorities in such circumstances an obligation to provide some special instruction to national origin-minority group students within their district who do not have proficiency in the English language sufficient to allow them meaningfully to participate in the educational program which is readily accessible to their English-speaking classmates. Respondents' failure to provide such instruction means, for petitioners, "[d]enial of access to the dominant culture, [and] lack of opportunity in any meaningful way to participate in political and other public activities * * *." *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836, 866 (C.A. 5), affirmed on rehearing *en banc*, 380 F. 2d 385 (C.A. 5), certiorari denied *sub nom. Caddo Parish School Board* v. *United States*, 389 U.S. 840.

The court below dismissed petitioners' claim under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et seq.*, as though it were merely cumulative of the rights embodied in the Fourteenth Amendment's guarantee of equal protection. This disposition misconstrues the Act and ignores the regulations and guidelines adopted by the Department of Health, Education, and Welfare.

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[2] These students receive special help under the experimental "Chinese Bilingual Pilot Program" conducted by the school district (App. 38–39, 45). Nothing in the record indicates that the students who participate in this program are more in need of assistance or have greater ability to benefit from special instruction than the students in petitioners' class.

Although intimately connected with equal protection guarantees, Title VI is grounded upon the right of the federal government to condition its grants of financial assistance with reasonable restrictions. HEW has determined—and its construction of the Act is "entitled to great weight" (*Trafficante* v. *Metropolitan Life Insurance Co.*, 409 U.S. 205, 210)—that compliance with Title VI requires a school district to take affirmative steps to rectify the language deficiency of students where the deficiency "excludes national origin-minority group children from effective participation in the educational program offered by [the] school district" (Pet. Br. App. 1a-2a). Because the school district failed to take such steps here, petitioners are entitled to relief under Title VI regardless of the merit of their constitutional claim.

In our view, therefore, the Court need go no further; it may dispose of the case on the basis of the statute alone. We submit, however, that the court of appeals incorrectly decided the constitutional issue as well. It assumed, erroneously, that the school district's sole obligation under the equal protection clause is to provide for all its students the same facilities and curriculum, even though it is aware that a large and easily identifiable segment of non-English speaking students lacks the capacity to derive any educational benefit whatever from those facilities and curriculum. That narrow and mechanical view of equal educational opportunities cannot be reconciled with this Court's holdings in *Brown* v. *Board of Education*, *supra*, *Sweatt* v. *Painter*, 339 U.S. 629, and *McLaurin* v. *Oklahoma State Regents*, 339 U.S. 637.

The State of California compels petitioners to attend school (Cal. Educ. Code § 12101); declares that its policy is to ensure the mastery of English by all pupils in the public schools (Cal. Educ. Code § 71); places certain disabilities on persons who do not communicate in or understand English (Cal. Civ. P. Code §§ 185 and 198(3)); and requires proficiency in the English language as a prerequisite to high school graduation (Cal. Educ. Code § 8573). In these circumstances, respondents' decision to deny petitioners any assistance in learning the language of instruction in the schools excludes them from the educational program because of a national origin-related characteristic, just as effectively as would a policy of barring them from the schoolhouse. This unequal treatment, unless required by some compelling state interest, is a constitutionally impermissible act of *de jure* discrimination, from which petitioners are entitled to relief.

Respondents have suggested no state interest, compelling or otherwise, to justify the discriminatory treatment of Chinese-speaking students. Indeed, that practice defeats, rather than furthers, the State's established educational policy of educating all public school children and ensuring that all master the English language.

Granting relief in this case will not require the judiciary to substitute its judgment for that of the responsible local officials on questions of educational policy, nor will it imply that the nation's public schools must remedy every educational handicap or raise every student's learning skills to the level of the most proficient. The issue here is a narrower one. Respondents have established English as the language of instruction; they are aware that a large group of Chinese-origin children who are required to attend the schools cannot speak or understand English; and yet they have declined to make *any* effort to assist those children in learning English, even though there are practicable methods for doing so. Thus, the question is whether a school district may, consistent with the Fourteenth Amendment and its statutory obligations under Title VI, knowingly deprive a large ethnic minority of the minimal skills necessary to secure a basic education. The answer to that question is no.

I

RESPONDENT'S FAILURE TO TEACH ENGLISH TO PETITIONERS VIOLATES TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Section 601 of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides:

> "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Respondents have selected English as the language of instruction in the San Francisco public schools, and they have refused to teach that language to a large number of Chinese-origin children who cannot understand English. That practice, we submit, violates the statute.

Requiring Chinese-speaking children to sit in classes conducted in a language they do not understand and to stare at textbooks they cannot read plainly has the prohibited effect of excluding them from participation in, denying them the benefits of, and subjecting them to discrimination under the school district's educational program. The impact of that practice is upon a distinct segment of a national origin-minority group, whose members are affected on account of a national origin characteristic. Since it is undisputed that the San Francisco Unified School District receives federal financial assistance under a variety of programs (see App. 36-39), it follows that the failure to teach petitioners English violates Section 601.

This conclusion is fortified by the regulations and guidelines issued by the Department of Health, Education, and Welfare pursuant to Section 602 of the Act, 42 U.S.C. 2000d–1.[3] The regulations specify (45 C.F.R. 80.3(b)(1)) that recipients of federal financial assistance under any program administered by HEW may not, on the ground of race, color, or national origin:

"(ii) Provide any service, financial aid, or other benefit to an individual which is different, or is provided in a different manner, from that provided to others under the program;

* * * * * * *

"(iv) Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program;

* * * * * * *

"(vi) Deny an individual an opportunity to participate in the program through the provision of services or otherwise or afford him an opportunity to do so which is different from that afforded others under the program * * *."

In programs for support of the operation of elementary or secondary schools, "discrimination by the recipient school district in any of its elementary or secondary schools * * * in the treatment of its students in any aspect of the educational process, is prohibited"; the prohibition includes "discrimination among the students * * * in the availability or use of any academic * * * or other facilities of the grantee or other recipient" (45 C.F.R. 80.5 (b)).

These prohibitions are not limited to affirmative acts that are designed to discriminate among the students on account of race or national origin; they embrace as well practices that have an impermissible *effect* regardless of the innocence of their design. Thus, in determining what benefits are to be provided under an HEW program of financial assistance, or what class of individuals is to be benefited, a recipient "may not * * * utilize criteria or methods of administration which have the *effect* of subjecting individuals to discrimination * * *, or have the *effect* of defeating or substantially impairing accomplishment of the objectives of the program as respect individuals of a particular race, color, or national origin" (45 C.FF.R. 80.3(b)(2) (emphasis added)).

The challenged conduct has precisely those effects. Respondents' refusal to teach English to the Chinese speaking minority in effect deprives the members of that minority of access to a basic education. It thus violates the regulations in several ways: it provides to the Chinese-speaking minority benefits different from those provided to others under the district's educational program (45 C.F.R. 80.3(b)(1)(ii)); it restricts them in the enjoyment of the benefits enjoyed by the English-speaking majority (45 C.F.R. 80.3(b)(1)(iv)); it denies them a meaningful opportunity to participate in the district's educational program (45 C.F.R. 80.3(b)(1)(vi)); it discriminates against them in the educational process (45 C.F.R. 80.5(b), 80.3(b)(2)); and it defeats the objectives of the educational program as respects individuals of Chinese origin (45 C.F.R. 80.3(b)(2)).

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[3] Section 602 provides in part:

"Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program o ractivity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. * * *"

The Department of Health, Education, and Welfare has, moreover, specifically construed the Act and the regulations to proscribe practices like those of respondents. In conducting Title VI compliance reviews pursuant to 45 C.F.R. 80.7, the HEW Office for Civil Rights found in 1970 that certain common practices by school districts were effectively denying equality of educational opportunities to national origin-minority group children with English language deficiencies. It accordingly issued, on July 10, 1970, a memorandum of guidelines designed to clarify its policy "concerning the responsibility of school districts to provide equal educational opportunity" to such children (Pet. Br. App. 1a). The memorandum provides in part (*id.* at 1a-2a):

"Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

The memorandum thus reflects a finding by the federal agency with special competence in the area of education that, where a school system employs English as the basic language of instruction but provides no special assistance to non-English speaking students who comprise a significant portion of the system's enrollment, those students are impermissibly excluded from participation in, denied the benefits of, and subjected to discrimination under the system's educational program, on account of their national origin. This "consistent administrative construction of the Act," like the Department's formal regulations, is "entitled to great weight." *Trafficante* v. *Metropolitan Life Insurance Co.*, 409 U.S. 205, 210. See, also, *Griggs* v. *Duke Power Co.*, 401 U.S. 424, 433-434; *Udall* v. *Tallman*, 380 U.S. 1. There is nothing in this record to contradict HEW's finding. Indeed, as we demonstrate below, the record fully supports that finding.[4]

Respondents' practices thus violate Section 601 on its face and as authoritatively construed by the pertinent federal agency. Petitioners are, in these circumstances, entitled to relief under the statute.[5] The court of appeals, however, rejected their claim summarily, stating in a footnote (App. 120-121, n. 6) that Section 601 prohibits only "affirmative action by which a person is 'excluded' from participation, 'denied' the benefits, and 'subjected' to discrimination," and that the court's determination of petitioners' constitutional claim "will likewise dispose of the claims made under the Civil Rights Act." Both statements are incorrect.

First, the statute nowhere states or implies that it is meant to bar only affirmative acts of discrimination while permitting discrimination that results from inaction. Indeed, Section 601 itself uses the passive voice. It does not provide that no person shall discriminate; it provides that no person shall suffer discrimination. As we have shown, the HEW regulations have properly construed the Act, consistent with the obvious legislative intent, to proscribe practices that have a discriminatory *effect*, regardless of their purpose and regardless whether the effect is the result of action or inaction.

But even if the court of appeals has correctly perceived a limitation not apparent on the face of the statute, it is difficult to see why respondents' practices would not be classified as "affirmative action." Although respondents are not responsible for petitioners' lack of English language skills, they have created the circumstances in which that lack of skill has become a crippling deficiency. In the context of state-wide laws compelling attendance at school (Cal. Educ. Code § 12101) and requiring proficiency in the English language as a condition of graduation from high school (Cal. Educ. Code § 8573), respondents' determination to teach only in English and to disregard those students who cannot understand English is an affirmative act of discrimination against the Chinese-speaking minority.

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[4] Respondents are, moreover, obligated by contract to comply with both the regulations and the guidelines. In consideration of receiving federal financial assistance under programs administered by HEW, the school district has contractually agreed to "comply with title VI of the Civil Rights Act of 1964 * * * and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 C.F.R. Part 80) issued pursuant to that title * * *," and "immediately [to] take any measures necessary to effectuate this agreement" (Pet. Br. App. 4a). The contract is binding and specifically enforceable. See *United States* v. *Sumter County School District*, 232 F. Supp. 945 (E.D. S.C.).

[5] It is settled that petitioners, as representatives of the class of affected children, have standing to enforce Section 601, and that injunctive relief is an appropriate remedy. *Bossier Parish School Board* v. *Lemon*, 370 F. 2d 847 (C.A. 5), certiorari denied, 388 U.S. 911; *Natonabah* v. *Board of Education*, 355 F. Supp. 716, 724 (D. N.M.); *Gautreaux* v. *Chicago Housing Authority*, 265 F. Supp. 582, 583-584 (N.D. Ill.).

Finally, determination of the constitutional issue in this case need not control the disposition of the statutory question. Title VI, although written in equal protection terms, is neither dependent upon nor necessarily coincident with the Equal Protection Clause of the Fourteenth Amendment. Rather, it is grounded on the general authority of the federal government to place reasonable restrictions upon the use of federal funds by the recipients.[6]

Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.

Thus, the applicability of Title VI here does not depend upon the outcome of the equal protection analysis. Pursuant to the power of Congress to "provide [in its expenditures] for the * * * general Welfare of the United States * * *" (U.S. Constitution, Art. I, Sec. 8, Cl. 1), enhanced like all other congressional powers by Article I's "necessary and proper" clause, the statute independently proscribes the conduct challenged by petitioners and provides a discrete basis for injunctive relief.

II

Respondents' Failure To Teach English to Petitioners Violates the Equal Protection Clause of the Fourteenth Amendment, Because It Deprives an Easily Identifiable National Origin-Minority Group of the Basic Education Provided to the English Speaking Majority

In our view, the Court may dispose of this case on the basis of the Civil Rights Act of 1964 and need not adjudicate petitioners' constitutional claim. "The Court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of." *Ashwander* v. *Tennessee Valley Authority*, 297 U.S. 288, 347 (Brandeis, J., concurring). If, however, the Court disagrees with our view of Title VI or prefers not to reach that issue, we submit that petitioners are in any event entitled to relief under the Equal Protection Clause of the Fourteenth Amendment.

A. RESPONDENTS' ACTION IS SUBJECT TO STRICT JUDICIAL SCRUTINY BECAUSE IT CLASSIFIES STUDENTS ON THE BASIS OF NATIONAL ORIGIN AND DEPRIVES THE DISFAVORED CLASS OF ACCESS TO A BASIC EDUCATION

Respondents have chosen English as the language of instruction in the San Francisco public schools but have failed to make any provision for a substantial group of non-English speaking Chinese children. There can be no doubt that this is state action within the compass of the Fourteenth Amendment. The issue is whether that state action creates a constitutionally impermissible classification.

1. *Respondents' practices have the effect of classifying the school district's students and of favoring one class over the other.*

The court of appeals reasoned that respondents have created no classification at all because they have provided all students with "the same facilities, textbooks, teachers and curriculum" (App. 128). In the court's view, since respondents have not caused petitioners' "language deficiency" (App. 127), they cannot be held responsible for petitioners' failure to derive any benefits from the educational program. We disagree.

As this Court has recognized, educational opportunity is not a function solely of buildings, books, and teachers: equal education means more than simply equal access to the material components of an educational program. It presupposes the student's basic capacity to communicate in and comprehend the language of instruction.

In *McLaurin* v. *Oklahoma State Regents*, 339 U.S. 637, the defendants provided a black graduate student with the same facilities and curriculum as white students but caused him to be segregated within those facilities from all other students. This Court rejected the argument, similar to that of the respondents here, that facilities and curricula are the sole measure of equal educational opportunity. "[E]ffective graduate instruction" was held to include an element of communication—the opportunity "to engage in discussions and exchange views with other students" (*id.* at 641)—which was not susceptible of objective measurement. By depriving the black student of that opportunity, the defendant's practices impermissibly denied him an equal educational opportunity notwithstanding the appearance of objective equality.

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[6] See *Oklahoma* v. *Civil Service Commission*, 330 U.S. 127, 143; *United States* v. *San Francisco*, 310 U.S. 16, 26; *United States* v. *Jefferson County Board of Education*, *supra*, 372 F.2d at 882; *United States* v. *Frazier*, 297 F. Supp. 319, 322 (M.D. Ala.).

[7] 110 Cong. Rec. 6543, Senator Humphrey quoting from President Kennedy's message to Congress, June 19, 1963. See, also, 110 Cong. Rec. 1527–1528, 12675–12677, 13334, 13378, 13416.

Similarly, in *Sweatt* v. *Painter*, 339 U.S. 629, this Court held that the Fourteenth Amendment did not permit Texas to bar a black law student from the University of Texas Law School on account of his race, because the separate school for black students did not provide substantially equal facilities. The Court stated that, even "more important" than the obvious differences in faculty, library, and curriculum, "the University of Texas Law School possesses to a far greater degree those qualities which are incapable of objective measurement but which make for greatness in a law school" (*id.* at 634).

These intangible "considerations apply with added force to children in grade and high schools." *Brown* v. *Board of Education*, 347 U.S. 483, 494. In *Brown*, as in *McLaurin* and *Sweatt*, the Court rejected the argument that equality of educational opportunity can be measured solely in terms of "buildings, curricula, qualifications and salaries of teachers, and other 'tangible' factors" (*id.* at 492).

One intangible but indispensable element of an effective education is the student's ability to comprehend the language of instruction. That view, implicit in this Court's decision in *McLaurin*, is also shared by educators.[8] When both the printed word and the spoken words of teacher and classmates are foreign to a student, he cannot make effective use of the tangible elements of an education. In circumstances such as those presented here, in which a substantial and identifiable national origin-minority group is known to lack even the elementary language skills necessary to comprehend classroom instruction, school officials cannot discharge their constitutional obligations merely by equalizing those tangible elements. For the effect of that "equalization" is to classify the students according to their English language skills and to disfavor the class whose members are incapable of benefiting from the instruction offered.

Respondents are aware that a large group of Chinese children in the San Francisco schools is unable to read, speak, or understand English (App. 101). They also recognize that, as a consequence of their failure to assist those students in learning English, many fail their courses, drop out of school, and become unemployable (App. 101, 103-104).[9] In these circumstances, teaching all students in the same way denies an equal educational opportunity to the Chinese speaking minority.

The situation here is similar to that in *Yu Cong Eng* v. *Trinidad*, 271 U.S. 500. The Court there struck down as a denial of equal protection an Act of the Philippine Legislature making it an offense to keep business account books in any language other than English, Spanish, or a Filipino dialect.[10] Though the

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[8] It is generally accepted that education requires verbal interaction between teacher and student and must therefore take into account the language that the student understands. See Goodman, *Compulsory Mis-education*, p. 21 (1964); Butts and Cremin, *A History of Education in American Culture*, pp. 541–546, 566–567 (1953); Cubberley, *Public Education in the United States*, pp. 513–528 (1934); Brunner, *The Process of Education* (1963); Dewey, *Democracy and Education* (1916).

[9] See also Anderson and Boyer, *Bilingual Schooling in the United States*, Vol. I, p. 48 (1970):

"The non-English-speaking child who at the beginning of school is unable to acquire literacy in English in competition with his English-speaking classmates and who is not permitted to acquire it in his own language makes a poor beginning that he may never overcome. Frustrated and discouraged, he seeks the first opporunity to drop out of school; and if he finds a job at all it will be the lowest paying job. He will be laid off first, will remain unemployed longest, and is least able to adapt to changing occupational requirements."

[10] The decision was based on the equal protection clause of the Philippine Bill of Rights, which extended to the Philippine Islands "guarantees equivalent to the due process and equal protection of the law clause of the Fourteenth Amendment" (*Serra* v. *Mortiga*, 204 U.S. 470, 471). The Court accordingly applied "'substantially the same criteria' that would be applied in a case arising under the Fourteenth Amendment (271 U.S. at 524).

Act appeared to treat all persons "equally," its effect would have been to drive out of business the Chinese merchants in the Islands, most of whom could not have complied with the Act. There, as here, the facially neutral policy invidiously discriminated against a substantial class of Chinese speaking persons whose language "deficiency" became a disability as a result of that official policy.[11] It did not matter there, and should not matter here, that the government had not caused petitioners' language deficiencies. It was enough that it created the circumstances in which that deficiency became a disabling handicap.

2. *The classification—effectively singling out for less favored treatment non-English speaking children of Chinese origin—is constitutionally suspect.*

Respondents have, in effect, conditioned access to public education in San Francisco on a child's prior understanding of the English language. The class of those adversely affected includes nearly 1,800 children of Chinese ancestry who speak and understand only the language of their fatherland. The resulting classification is thus drawn along lines of national origin (cf. *Meyer* v. *Nebraska*, 262 U.S. 390, 398-399) and, under the decisions of this Court, is therefore "immediately suspect" and subject to "the most rigid scrutiny." *Korematsu* v. *United States*, 323 U.S. 214, 216. See, also, *Oyama* v. *California*, 332 U.S. 633, 644-646; *Hirabayashi* v. *United States*, 320 U.S. 81, 100.[12]

The Chinese speaking minority in San Francisco bears each of "the traditional indicia of suspectness" that this Court identified in *San Antonio Independent School District* v. *Rodriguez*, 411 U.S. 1, 28. It is "saddled with such disabilities, * * * subjected to such a history of purposeful unequal treatment, [and] relegated to such a position of political powerlessness as to command extraordinary protection from the majoritarian political process."

The California Constitution of 1879, for example, barred "natives of China" from voting (Art. II § 1) and prohibited the employment of Chinese persons by the state, local governments, and corporations (Art. XIX, §§ 2-4). Later, an English literacy voting requirement was enacted by the legislature to exclude American-born children of Chinese immigrants. See *Castro* v. *State*, 2 Cal. 3d 223, 230, n. 11, 466 P. 2d 244, 248, n. 11. Until 1947, state legislation authorized the establishment of "separate schools * * * for children of Chinese, Japanese, or Mongolian parentage" (Cal. Educ. Code (1943 ed.) § 8003). See *Guey Heung Lee* v. *Johnson*, 404 U.S. 1215 (per Douglas, Circuit Justice). San Francisco established such separate schools for Chinese-origin children. See *Wong Him* v. *Callahan*, 119 Fed. 381 (C.C. N.D. Cal.). Other legislation permitted local governments to adopt ordinances excluding Chinese persons from residence within their boundaries or requiring them to live within segregated areas. Ch. 29, 1880 Cal. Stats. 22. See, also, *Yick Wo* v. *Hopkins*, 118 U.S. 356.

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[11] The Court there inferred that the Act was designed specifically to affect the Chinese merchants (271 U.S. at 514–515, 528). But it is not important that no such design is evident here. Under the equal protection clause, "[t]he existence of a permissible purpose cannot sustain an action that has an impermissible effect" (*Wright* v. *Council of the City of Emporia*, 407 U.S. 451, 462). "It is no consolation to an individual denied the equal protection of the laws that it was done in good faith" (*Burton* v. *Wilmington Parking Authority*, 365 U.S. 715, 725).

[12] Although respondents' practices may similarly affect other non-English speaking minorities in San Francisco, that possibility does not alleviate the discriminatory impact on petitioners' class and is constitutionally immaterial. "Equal protection of the laws is not achieved through indiscriminate imposition of inequalities." *Shelley* v. *Kraemer*, 334 U.S. 1, 22. See, also, *Takahashi* v. *Fish Commission*, 334 U.S. 410, 413; *Oyama* v. *California*, 332 U.S. 633, 646. Nor is the constitutionally suspect nature of this class altered by the fact that respondents have chosen to give some English language training to another, smaller group of Chinese speaking children. A classification based on race or natural origin is no less suspect merely because some or even many persons of that race or nationality are unaffected. See, *e.g.*, *Phillips* v. *Martin Marietta Co.*, 400 U.S. 542; *Yu Cong Eng* v. *Trinidad*, *supra*, 271 U.S. at 512.

In the context of this history of discrimination against the Chinese minority, respondents' choice of English as the language of instruction,[13] coupled with their refusal to teach English to a large group of Chinese speaking children, creates an inherently suspect classification, the consequence of which, in contrast to the situation in *Rodriguez*, is that the members of petitioners' class suffer an "absolute deprivation of education" (411 U.S. at 25). The classification therefore calls for close judicial scrutiny; it can be justified only on a showing that it is necessary to accomplish a compelling state objective. See, *e.g.*, *Loving* v. *Virginia*, 388 U.S. 1, 11; *McLaughlin* v. *Florida*, 379 U.S. 184, 192-193. The respondents cannot, and indeed have not even attempted to, make that showing here.

B. RESPONDENTS HAVE NOT SHOWN THAT THEIR ACTION IS REQUIRED TO SERVE ANY COMPELLING STATE INTEREST OR EVEN THAT IT IS RATIONALLY RELATED TO ANY LEGITIMATE STATE PURPOSE

Respondents have suggested no state interest, compelling or otherwise, that would justify the discriminatory effects of their policies on the Chinese speaking minority. Indeed, they have not even made the minimal showing required to support racially innocuous classifications—that "the challenged state action rationally furthers a legitimate state purpose or interest" (*Rodriguez, supra*, 411 U.S. at 55).

The court below stated that "the State's use of English as the language of instruction in its schools is intimately and properly related to the educational and socializing purposes for which public schools were established" (App. 127). While that may justify the use of English, it plainly does not support respondent's refusal to teach English to petitioners, who are thereby denied the very "educational and socializing" benefits sought to be furthered.

Indeed, respondents' failure to assist petitioners in learning the language of instruction defeats rather than promotes California's educational program. The state requires petitioners to attend school (Cal. Educ. Code § 12101), declares that its policy is "to insure the mastery of English by all pupils in the schools" (Cal. Educ. Code § 71), and requires proficiency in the English language as a condition of high school graduation (Cal. Educ. Code § 8573). By establishing English as the language of instruction and refusing to teach that language to petitioners, respondents deprive a large ethnic minority of access to a basic education and thereby thwart the state's fundamental educational policies. The result is that "the State spites its own articulated goals" (*Stanley* v. *Illinois*, 405 U.S. 645, 653).

The discriminatory treatment of petitioners' class thus cannot withstand even minimal scrutiny, much less the "rigid scrutiny" (*Korematsu, supra*) required for racial classifications. Although this Court has traditionally deferred to the school board's expertise in matters of local educational policy, that deference does not extend to policies which conflict with the Fourteenth Amendment's guarantees of equal protection. *West Virginia State Board of Education*

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[13] Respondents could have decided upon a multi-lingual curriculum. Although state law prior to 1967 required all schools to teach in the English language (Cal. Educ. Code (1943 ed.) § 8251), the statute now permits bilingual instruction (Cal. Educ. Code § 71). The California Bilingual Education Act of 1972 provides for financial assistance to school districts that wish to establish bilingual programs (Cal. Educ. Code § 5761, *et seq.*). Among the legislative findings recited in that Act (§ 5761) are these: "The inability to speak, read and comprehend English presents a formidable obstacle to classroom learning and participation which can be removed only by instruction and training in the pupils' dominant language.

"The Legislature finds and declares that a primary goal of such programs is, as effectively and efficiently as possible, to develop in each child fluency in English so that he may then be enrolled in the regular program in which English is the language of instruction."

Other states have also enacted statutes requiring or permitting bilingual programs. See 2C Ann. Laws of Mass., c. 71A, §§ 1-9 (mandatory in certain circumstances); Laws of the 63rd Legislature of the State of Texas, c. 392, p. 860; Alaska Educ. Statutes, § 14.08.160 (mandatory in certain cases); 5A Kan. Stat. Ann., § 72-1101; 11 Me. Rev. Stat. Ann., Title 20, § 102(16); 2-A N.H. Rev. Stat. Ann., § 189-19; 11 N. Mex. Stat. Ann., § 77-11-12; 16 N.Y. Educ. Law §§ 3204, 4404; Pa. Stat. Ann., Title 24, § 15-1511.

Indeed, foreign languages have historically been used as a medium of instruction in the public schools of the United States, particularly before the Civil War and before World War I. See, *e.g.*, Andersson and Boyer, *Bilingual Schooling in the United States*, Vol. I, pp. 17, 35-36 (1970).

v. *Barnette*, 319 U.S. 624; *Swann* v. *Charlotte-Mecklenburg Board of Education*, 402 U.S. 1; *Green* v. *County School Board of New Kent County*, 391 U.S. 430; *Brown* v. *Board of Education*, 349 U.S. 294 (*Brown II*). Such deference is even less appropriate where, as here, the school board's policy is itself in conflict with a broader state policy both to educate all children in the state and to insure their mastery of English. Cf. *Griffin* v. *County School Board*, 377 U.S. 218.

III

GRANTING RELIEF IN THIS CASE WILL NOT REQUIRE THE COURT TO FORMULATE LOCAL EDUCATIONAL POLICY AND WILL NOT MEAN THAT SCHOOL DISTRICTS MUST REMEDY EVERY EDUCATIONAL HANDICAP OF EVERY STUDENT

Granting relief to petitioners in this case need not lead the judiciary into "persistent and difficult questions of educational policy" (*Rodriguez*, *supra*, 411 U.S. at 42). The case presents no issue whether one form of instruction is preferable to another. It raises no question concerning the propriety of using English as the basic language of instruction in a public school system.

Petitioners seek only *some* form of reasonable assistance in comprehending the instruction offered to them. Whether that assistance should be in the form of a bilingual curriculum rather than special training in the English language or some other program is for the informed judgment of the local school authorities,[14] so long as a substantial effort is made. The only issue here is whether the school district may refuse to give any assistance at all to petitioners' class. Resolution of that issue does not require the Court to substitute its judgment for that of the responsible officials.

Nor will a decision in petitioners' favor imply that the nation's schools must give special assistance to every student with an educational deficiency or must seek to raise all students to the level of the most proficient. Those broad principles need not be invoked to resolve the statutory or constitutional issues in this case. The facts here are more limited.

Petitioners are required by state law to attend school. Respondents have established English as the language of instruction in the San Francisco schools, and they are aware that a large group of Chinese children cannot comprehend that language. The state's articulated educational policy is to ensure mastery of English by all students, and to that end it offers financial assistance to school districts that establish programs to teach English to non-English speaking children. Respondents nevertheless have refused to provide *any* such assistance to petitioners' class. As a consequence, a large and easily identifiable ethnic minority, which has historically been subject to invidious discrimination in the California schools, has been denied access to even a basic education, on account of a language deficiency that is inextricably linked to national origin.

Whatever may be the result where a small or indistinct group is affected, or where the deficiency is not a racial or national origin characteristic, or where the students are not deprived of access to a basic education, on the facts presented in this case petitioners have been denied an equal educational opportunity and are entitled to relief under Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment.

CONCLUSION

For the reasons stated above, the judgment below should be reversed and the case remanded for the fashioning of appropriate relief.

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[14] We note that the district is authorized to offer a bilingual curriculum "when such instruction is educationally advantageous to the pupils" (Cal. Educ. Code § 71). The state, pursuant to the Bilingual Education Act of 1972 (Cal. Educ. Code § 5761, *et seq.*), provides financial assistance to school districts that wish to institute bilingual educational programs. See note 13, *supra*. Financial assistance is also made available to elementary school districts that "establish and maintain special programs or classes * * * in speaking, reading and writing the English language for foreign-born minors and native-born minors" (Cal. Educ. Code § 6061).

For discussion of examples of successful bilingual educational programs being conducted elsewhere, see *Learning for Two Worlds*, 8 American Education 28 (November 1972); *Tucson's Tale of Two Cultures*, NEA Journal, February 1967, p. 62.

Respectfully submitted.

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OCTOBER 1973.

Mr. MEEDS. How do you want to proceed, Mr. Cooke?

Mr. COOKE. Mr. Gerry will present his prepared testimony and then we will go on to any questions you may have.

Mr. MEEDS. Please proceed. Mr. Gerry.

STATEMENT OF MARTIN GERRY, ACTING DIRECTOR, OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, ACCOMPANIED BY ST. JOHN BARRETT, DEPUTY GENERAL COUNSEL, AND CHARLES M. COOKE, JR., DEPUTY ASSISTANT SECRETARY FOR LEGISLATION (EDUCATION)

Mr. GERRY. I am pleased to have this opportunity to describe the past, current, and projected efforts of the Office for Civil Rights of the Department of Health, Education, and Welfare in carrying out the mandate of title VI of the Civil Rights Act of 1964, with particular attention to the education rights of national origin minority and other limited or non-English-speaking children enrolled in the public school systems of this country.

I would like to begin this description by reviewing the legal background which contributed to the development and implementation of the May 25th memorandum—Memorandum to School Districts, May 25, 1970—which formed the central element in the Supreme Court's recent decision in *Lau* v. *Nichols* (Slip Op. No. 72-6520, January 21, 1974).

Pursuant to paragraph five of the 14th amendment, the Congress passed the Civil Rights Act of 1964, which provides in title VI that the executive branch establish an enforcement mechanism so as to ensure that:

> No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (Sec. 601, Civil Rights Act of 1964; 78. Stat. 252; U.S.C. 2000d.)

The ultimate sanction available under the enforcement mechanism is the termination of the eligibility of a school district to receive Federal financial assistance.

The Secretary of Health, Education and Welfare has delegated enforcement responsibilities of the Department—related to recipients of Federal health, education and welfare assistance—to the Office for Civil Rights.

From 1965 to early 1969 the Office for Civil Rights, Education Branch, was primarily pursuing the elimination of the Southern dual—black-white—school systems. To this end the Department negotiated over 800 voluntry desegregation plans. The primary focus of the effort to eliminate discrimination was on the assignment of students and teachers to the schools of a district.

For example, desegregation plans from most Texas school districts failed to affect significantly the discriminatory treatment of the national origin minority students. Therefore, "desegregation" of Blacks and Mexican-Americans—rather than desegregation among blacks, Anglos and Mexican-Americans—often resulted.

To summarize, between 1954–1970 neither the courts nor the Executive Branch seriously attacked either the segregation of national origin minority children or the discriminatory practices of school districts in the operation of educational programs for their children within schools.

THE DEVELOPMENT OF THE MAY 25TH MEMORANDUM

In September of 1969, the Office for Civil Rights began a review of civil rights and educational literature addressing the question of discrimination against national origin minority group children. As of the fall of 1972, just to get a perspective on the size of the group involved, according to the Elementary and Secondary School Survey conducted by OCR, 2,414,179 Spanish-surnamed, 232,766 American Indian, and 233,190 Asian children were enrolled in the public schools. The review was in part, prompted by complaints from community groups that the Office had failed to investigate and identify discriminatory aspects of school district operations which often resulted in the segregation of national origin minority children within schools and denial to them of equal educational opportunity. Evidence of the systematic lower achievement of minority group children and the existence of large numbers of segregated ability-grouping and special education classes was accumulated.

This review, together with discussions with the Commissioner of Education and members of his staff, led to the conclusion that national origin minority children were, as a group, in many school districts being excluded from full and effective participation in, and the full benefits offered by, the educational programs operated by such districts.

The Office for Civil Rights moved to prepare a departmental policy statement in order to create a set of operating principles which would adequately protect the right of national origin minority group children to a truly equal educational opportunity. The drafting of the policy statement (memorandum to school districts) reflected the operational philosophy that school districts create an educational approach which would ensure the equal access of all children to its full benefits. The burden, according to this philosophy, should be on the school to adapt its educational approach in order to create such equal access.

As issued in July 1970, the date it was published in the Federal Register, the memorandum identified four major areas of concern relating to compliance with title VI:

1. Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

2. School districts must not assign national origin minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin minority group children access to college preparatory courses on a basis directly related to the failure of the school system to teach English language skills.

3. Any ability-grouping or tracking system employed by the school system to deal with the special language skill needs of national origin minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead end or permanent track.

4. School districts have the responsibility to adequately notify national origin minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

School districts were required by the memorandum to determine their current compliance with title VI. If the school district found itself either to be in noncompliance or to have questions about its compliance status, it was instructed to communicate with the Department as soon as possible on the understanding that technical assistance from the Department would be available.

Even before the public release of the memorandum in July 1970, it became apparent that before the memorandum could become fully operational, the development of a technique for investigating and a format for proving noncompliance with the various sections of the memorandum which would meet legal requirements and which could be presented to field staff for implementation had to be completed.

While specific policies have been and are continuing to be developed with regard to other sections of the memorandum, section 1 has to date received highest priority from the Office. This is what the court in the *Lau* decision specifically referred to. Additionally, remedies developed pursuant to section 1 have been in many cases inclusive of the relief suggested pursuant to sections 2, 3, and 4.

The Office for Civil Rights decided to conduct a series of pilot reviews in order to develop an effective method for proving noncompliance with section 1 of the memorandum.

From a legal standpoint it was observed that three basic propositions needed to be proved in order to demonstrate noncompliance with that section:

1. That national origin minority students in the district enter the schools with different linguistic and cultural backgrounds which directly affect their ability to speak and understand the English language.

2. That national origin minority students are excluded from effective participation in and the full benefits of the educational program of the district on a basis related to English language skills.

3. That the district has failed to take affirmative action which may reasonably be expected to equalize access of national origin minority students to the full benefits of the educational program.

Support for the first proposition was educed utilizing two different foci: (1) the collection and analysis of data related to the home langauge and culture of national origin minority children at the time they enter the system, and (2) the collection and analysis of data related to the English language skills of the national origin minority children at the time they enter the system.

The collection of evidence to support the second proposition is again separable into two different foci. The first involved a review of the educational performance of all students at grade level during the same time period. Investigation was focused on early childhood performance because of its clearly demonstrated educational significance. Because of the emphasis in the May 25th memorandum on language skills, performance of students on subbatteries of the test clearly keyed to language-related skills was selected for close analysis. Under the second focus, test scores for the same class are compared as they progress through the educational system. This analysis provides the basis for the comparison of Anglo and minority student test scores and the achievement of each group of students over a period of time.

Documentation of the third proposition required a thorough picture of the district's staffing practices, school program, and minority student placement in the various aspects of the program. Using interview and questionnaire data collected from school personnel and a review of school records, the compliance team attempts to determine the following facts: the specific nature of any language programs and compensatory or remedial programs; enrollment in those programs by ethnic background; and the degree of program success. Language background of school personnel, including psychologists and counselors, is reviewed along with the criteria for placement, ethnic composition, and intra-group mobility of any ability grouping or tracking system. The language background of students repeating grades is specifically reviewed.

The analyses conducted during the pilot reviews showed conclusively that the educational performance of national origin minority students as compared against their prior performance was declining rapidly and, when compared to the performance profile of their Anglo peers, decidedly unequally. The exclusion of national origin minority students from the full benefits of the educational program appeared to be continuing each year. Pursuant to the final sentence of section 2 of the memorandum analyses were also developed with regard to the assignment of pupils to secondary school classes and a comparison between verbal skill performance level and assignment to college preparatory and vocational track courses was conducted and very strong correlations observed. In most instances, the same students had been studied in depth in the preceding historical focus and the failure of the district to teach English language skills to the national origin minority students had already been demonstrated.

To date the Office for Civil Rights has negotiated comprehensive education plans from districts found to be in noncompliance with the memorandum. I have attached to this statement a chart showing the current compliance status of all districts which have been or currently are under review. I have also included in that chart a partial list of districts which are projected for review in the near future.

Mr. **Meeds**. Without objection the charts and all of the material appended to the statement will be made a part of the record following the testimony.

Mr. **Gerry**. Thank you.

The comprehensive educational plans submitted to OCR during the last 3 years have in general reflected a bilingual educational strategy. Most have focused on education programs in the early grades and strong staff development activities. Much attention has been given to the relevance of instructional materials to these children and to evaluation strategies.

In the summer of 1972, the Office for Civil Rights, as a result of 2 years of enforcement experience, decided that a new program development effort was necessary for several important reasons:

1. Compliance reviews had clearly identified that a wider range of discriminatory educational practices were limiting the educational access and opportunity of minority students than those identified in the memorandum.

2. Many of these discriminatory practices were adversely impacting blacks as well as national origin minority children.

3. The investigation and analytic techniques which had been developed needed substantial automated data processing support if they were to be applied to middle-sized or large school districts.

4. Cost effectiveness and institutional burden considerations dictated that reviews of large urban school districts should be comprehensive and unitary—both in terms of issues and client groups.

5. Congress had passed title IX of the Education Amendments of 1972, adding sex discrimination as an important new compliance responsibility to efforts in the area of equal educational opportunity.

The new program development effort which resulted from this evaluation was the Equal Educational Services approach. This approach was developed in the initial planning for a compliance review to ascertain whether there currently exists equal treatment in delivery of educational services to minority and female students served by the New York City public school system. The review will include compliance inquiries directed to services being provided to Italian- Greek- and French-speaking minorities as well as Spanish- and Asian-language-speaking minority groups. The review has become a prototype for the equal educational services program. The planning phase for the review which was completed last month has produced an extensive outline of specific inquiries which need to be made in order to determine current compliance with title VI and title IX standards in several important areas:

1. Whether comparability exists between racially/ethnically identifiable schools or districts with respect to instructional expenditures, facilities, and other services. This issue will include analysis of whether the State of New York allocates resources in a manner which

disadvantages minority children in New York City in comparison with other New York State children.

2. Whether educational services are being provided to children in a way to place them in educational and cultural environments which do not meet their linguistic needs, or include the use of curriculum materials which dictate a permanently lower level educational achievement regardless of academic potential, as a result of their race, color, national origin (including its accompanying language system or high incidence of migrant status) or sex. This issue will include analysis of whether there is coordination of educational programs between New York City and Puerto Rico for children who are transient between the two school systems.

3. Whether the effect of assigning children to ability groups or tracks, special educational programs, or programs for gifted children is to create and maintain racially, ethnically, or sexually isolated environments within the schools so as to place children at a disadvantage because of their race, national origin (including language) or sex.

4. Whether children are treated differently on the basis of their race, color, national origin, or sex in the conduct of school-sponsored extra-curricular activities, counseling or disciplinary procedures; and whether day care and Headstart programs are free of discrimination.

In order to collect, store and analyze effectively all the data needed for the review, OCR is developing an automated compliance information system. The system has been designed to permit maximum flexibility in data analysis while at the same time maintaining complete confidentiality of all data collected, as required by Federal and State law.

During the planning phase, OCR, with the assistance of an outside contractor, has identified the specific data items necessary for a careful analysis of the issues and a complete answer to the questions identified in the outline. After this task had been completed a "data base" structure for the review was developed which will organize the data items identified in the preceding step.

All existing sources of data (in computer-readable form) pertaining to the New York City schools were examined and an evaluation was made of each for its potential contribution to the overall data base, which were available either from the State of New York or the New York City school system.

During this second phase the collection of data from such "bulk data sources" (including banks of educational performance, payroll and classrooms data) has been utilized because of its efficiency, accuracy and comprehensiveness as well as its effect of substantially reducing onsite data collection activity. Formats for the collection of additional data and in-depth visits will be selected by preliminary computer analyses of existing data. Districts which will receive onsite visits will be selected by preliminary computer analyses of existing data.

This winter a third phase of the prototype review, initial on-site data collection, has been initiated. Intensive onsite data collection in sample schools will be conducted during the fall and winter of this year. An initial presentation of findings is projected for April, 1975.

Plans are already underway to expand the prototype effort to four other cities during the next year: Chicago, Houston, Los Angeles, and Philadelphia.

I have attached to this statement an outline of the issues to be reviewed in the course of these reviews, the projected time frame and component activities for each, and the current estimate of personpower requirements. The automated information system of being developed for the prototype can and will, with simple modifications, be used for each of these review efforts. This system is also capable of long-term post-compliance review monitoring and is being designed in a way which will permit future use by the school district as a major part of an internal management information system.

I have also attached a chart summarizing the total population of minority children upon whom this five-pronged comprehensive enforcement approach will concentrate. Included in this intensive review will be, 16.7 percent of all the black children in the country, 23.4 percent of all the Spanish-surnamed children in the country, and 21.2 percent of all the Asian children in the country.

In addition to its equal educational services program, OCR plans an additional enforcement effort this spring and fall to secure compliance of local school districts. This effort will concentrate on school districts enrolling significant numbers of limited or non-English-speaking children. The effort will be made this spring in 133 districts in 10 States and this fall in an additional 172 districts in 14 States. I have attached to this statement charts showing the States, number of target districts within States, and the number of national origin minority children enrolled in target districts for both the spring and fall 1974 enforcement effort. (Precise data is available at present only with regard to Spanish-surnamed, Asian, and native American minority group children. Language skill data is not generally available for these children nor for children of other national origin minority groups.)

OCR in concernt with the Office of Education intends to send to chief State school officers in each State a memorandum proposing specific strategies for joint Federal-State evaluation of current Title VI compliance, provision of technical assistance to school districts wishing to develop voluntary compliance plans, and implementation of plans and post-plan monitoring. It is our hope that State agency leadership can provide the impetus for voluntary plan development without the need for time consuming on-site reviews. In the event that on-site compliance reviews are necessary to determine current compliance, OCR regional staff will attempt to complete as many reviews as possible during the 1974–75 school year.

Mr. Chairman, the Office for Civil Rights is proud of the leadership role it has played in the development of civil rights policies in this area. The Office in close cooperation with the Office of Education and other interested agencies of the Department will continue aggressively to develop and implement enforcement programs that will ensure that truly equal educational services are delivered to all of

America's children regardless of race, color, national origin, or sex. Thank you for this opportunity to present my views.

[Charts follow:]

EQUAL EDUCATIONAL SERVICES COMPREHENSIVE REVIEWS, PERSONPOWER REQUIREMENTS IN PERSONYEARS

	Fiscal year		
	1974	1975	1976
New York City	15	20	15
Chicago	3	12	5
Philadelphia	2	7	4
Los Angeles	3	10	14
Houston	2	6	10

STATEWIDE COMPLIANCE EFFORT: ACCESS TO EDUCATIONAL SERVICES FOR NATIONAL ORIGIN MINORITY CHILDREN, TARGET DISTRICTS,[1] FALL 1974

State	HEW region	Number of target districts [1]	Number of national origin minority children in target districts	Number of national origin minority children (State) [2]	Percent of national origin minority children (State) in target districts
Alaska	X	3	9, 876	15, 853	62. 3
California (not including Los Angeles)	IX	127	55, 779	865, 921	6. 4
Indiana	V	3	8, 814	18, 571	47. 5
Kansas	VII	3	4. 534	13. 997	32. 4
Maryland	III	2	7, 320	9, 607	76. 2
Massachusetts	I	1	7, 106	22, 406	31. 7
Michigan	V	3	8, 466	42, 636	19. 9
Minnesota	V	2	5, 557	17, 255	32. 2
Nevada	IX	2	4, 941	8, 302	59. 5
New Mexico	VI	15	29, 979	133, 831	22. 4
North Carolina	IV	2	8, 827	16, 874	52. 3
Ohio	V	3	8. 409	25, 264	33. 3
Oklahoma	VI	5	10, 195	40, 561	25. 1
Pennsylvania	III	1	9, 550	21, 753	43. 9

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[1] Target districts have been selected based on the factors:

(a) The number of national origin minority children (form OS/OCR 101 (1972))—VIA.

(b) The number of children estimated to be receiving some form of bilingual instruction (form OS/OCR 101 (1972))—XI(A)(2).

[2] Universe projections—Directory of Public Elementary & Secondary Schools in Selected Districts, Fall 1972, U.S. Department of Health, Education, and Welfare, Office for Civil Rights.

STUDENTS IN 5 ELEMENTARY AND SECONDARY SCHOOL SYSTEMS SELECTED FOR OFFICE FOR CIVIL RIGHTS REVIEW

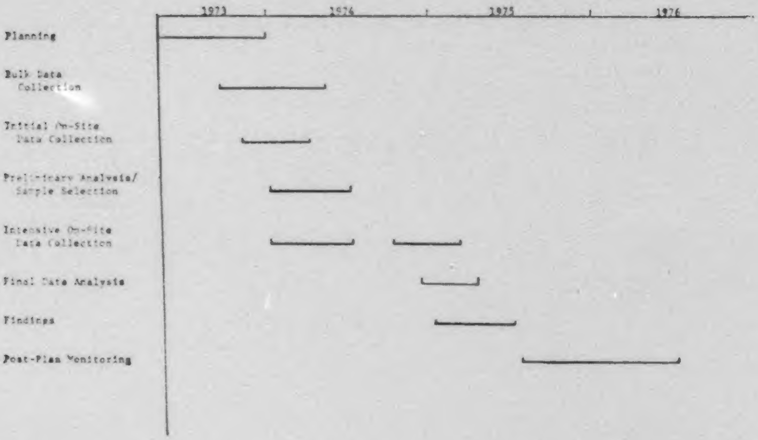
School district	Black		Spanish American		Oriental		American Indian		Others		Minority total		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number
New York City	393, 516	[1] 34.5	292, 664	[1] 25.7	17, 115	[1] 1.5	607	[1] 0.1	436, 457	[1] 38.3	703, 902	[1] 61.7	1, 140, 359
Chicago	316, 711	[1] 54.8	56, 374	[1] 9.8	3, 883	[1] .7	1, 042	[1] .2	199, 669	[1] 34.6	378, 010	[1] 65.4	577, 679
Philadelphia	169, 334	[1] 60.5	8, 729	[1] 3.1					101, 766	[1] 36.4	178, 063	[1] 63.6	279, 829
Los Angeles	154, 926	[1] 24.1	140, 346	[1] 21.8	22, 435	[1] 3.5	1, 123	[1] .2	324, 065	[1] 50.4	318, 830	[1] 49.6	642, 895
Houston	85, 965	[1] 35.6	34, 759	[1] 14.4	968	[1] .4	266	[1] .1	119, 181	[1] 49.4	121, 958	[1] 50.6	241, 139
Total	1, 120. 452	[2] 16.7	532, 872	[2] 23.4	44, 401	[2] 21.2	3, 038	[2] 1.5	1, 181, 138	[2] 3.3	1, 700, 763	[2] 18.1	2, 881, 901

[1] Percent of total student enrollment in school district—Fall 1970 (actual data), Directory of Public Elementary and Secondary Schools in Selected Districts, Fall 1970, U.S. Department of Health, Education, and Welfare, Office for Civil Rights.

[2] Percent of total student enrollment in nation by racial/ethnic group (universe projections), Directory of Public Elementary and Secondary Schools in Selected Districts, Fall 1970, U.S. Department of Health, Education, and Welfare, Office for Civil Rights.

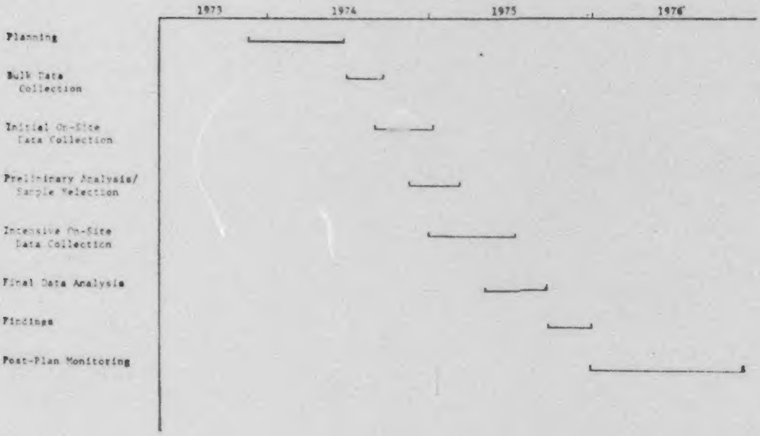
EQUAL EDUCATIONAL SERVICES REVIEW

NEW YORK CITY



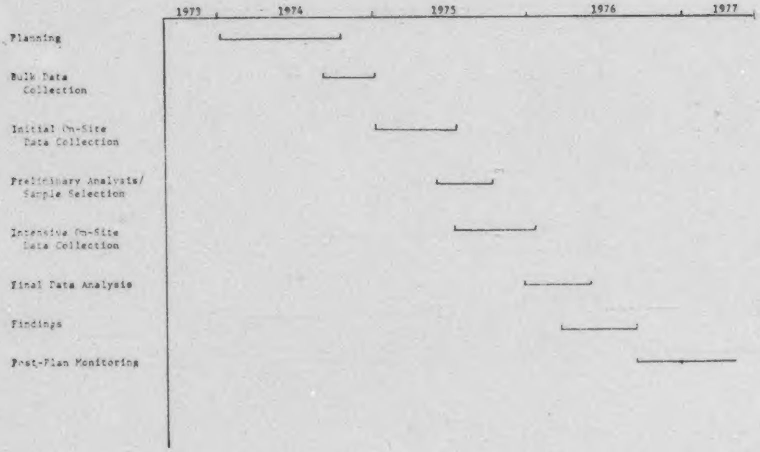
EQUAL EDUCATIONAL SERVICES REVIEWS

CHICAGO; PHILADELPHIA



EQUAL EDUCATIONAL SERVICES REVIEWS

LOS ANGELES; HOUSTON



ISSUES TO BE REVIEWED DURING THE EQUAL EDUCATIONAL SERVICES REVIEWS CONDUCTED BY THE OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Sources of Legal Authority.—Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex. Sec. 504 of the Vocational Rehabilitation Act of 1973 prohibits discrimination on the basis of mental or physical handicap.

I

Does a lack of comparability exist as between racially/ethnically identifiable school districts, schools, classrooms with respect to the allocation of resources provided from state and local sources, including but not limited to:

(a) Instructional Expenditures
(b) Non-Instructional Expenditures
(c) Existence of Facilities
(d) Condition of Facilities
(e) Equipment and Materials
(f) Nature and Extent of Instructional Services and Programs
(g) Nature and Extent of Non-Instructional Services and Programs (attendance services, health services, food services, student body activities, recreational activities, civic activities, services and programs linked with mental health programs, drug abuse prevention programs, etc)

II

Are inferior educational services being provided to children as a result of their race, color, or national origin (including its accompanying language system or high incidence of migrant status), sex or handicap, through policies or actions by recipients of federal financial assistance which place such children:

(a) In educational environments which (both in terms of general characteristics, behavioral expectations, etc.) are linguistically and culturally disadvantaging to the educational (both cognitive and self-concept) development of such children, while providing educational services to nonminority children in educationally compatible or supportive environment;

(b) In educational programs which because of the curriculum, instructional methodologies and assessment techniques utilized dictate a permanently lower level of educational achievement regardless of academic potential; and more generally

(c) In "educational" programs operated in a manner which has the effect of defeating or substantially impairing the accomplishment of the objectives of the program as respects individuals of a particular race, color, national origin, sex or handicap.

III

Are children assigned on the basis of race, color, national origin (including its accompanying language system), sex or handicap, to instructional programs (a) so as to create and maintain racially or ethnically isolated educational environments within the schools, (b) so as to provide a higher incidence of inappropriate educational services to such children (than to other non-minority children in the school, the district, the city)? Such an examination would as a minimum include a review of practices related to:

(a) Ability grouping and tracking
(b) Gifted and special education programs
(c) Competitive examination and special entrance schools

IV

Are children subjected to differential treatment as a result of their race, color, national origin, sex or handicap (a) in the operation of non-instructional service programs including service referral functions (e.g. guidance and counseling programs, drug abuse prevention programs), (b) in the conduct of extracurricular activities, (c) in the operation of disciplinary procedures?

Summary sheet: Status of equal educational services reviews conducted by OCR since release of May 25, 1970 memorandum—March 1974 report

Number of districts presently under review	29
Number of districts notified of noncompliance which are implementing compliance plans	20
Number of districts notified of noncompliance which are negotiating plans	14
Number of districts notified of noncompliance which have not negotiated or submitted plans	1
Number of districts notified of noncompliance which are involved in administrative enforcement proceedings	2
Number of districts scheduled for review	8
Total districts reviewed by OCR since release of May 25, 1970 memorandum	72
Total districts notified of noncompliance since release of May 25, 1970 memorandum	37

REGION I, BOSTON

Districts notified of noncompliance which are involved in administrative enforcement proceedings.—Boston, Massachusetts.

REGION II, NEW YORK

Districts presently under review.—Hoboken, New Jersey; Perth Amboy, New Jersey; Passaic, New Jersey; Buffalo, New York; New York, New York.

REGION III, PHILADELPHIA

No school districts presently under review. Philadelphia, Pa. scheduled for comprehensive equal educational services review--planning for review to begin April 1, 1974.

REGION IV, ATLANTA

Districts scheduled for review.—Palm Beach, Florida.

REGION V, CHICAGO

Districts presently under review.—Saginaw, Michigan; Defiance, Ohio; Fremont, Ohio; Detroit Lakes, Minn.; Cloquet, Minn.; Deer River, Minn.; Bemidiji, Minn.

Districts notified of noncompliance which are implementing plans.—East Chicago, Indiana; Shawano, Wisconsin.

Districts notified of noncompliance which are negotiating plans.—Leipsic, Ohio.

Districts scheduled for review.—Chicago, Illinois (Comprehensive equal educational services review. Planning to begin April 1, 1974).

REGION VI, DALLAS

Districts presently under review.—Aransas County ISD, Texas; Aransas Pass ISD, Texas; Coleman ISD, Texas; Pharr-San Juan-Alamo ISD, Texas; South San Antonio ISD, Texas; Victoria ISD, Texas; Lordsburg, N.M.; Silver City, N.M.; Fort Bend ISD, Texas.

Districts notified of noncompliance which are negotiating plans.—Mexia ISD, Texas; La Feria ISD, Texas; Raymondville ISD, Texas; Taft ISD, Texas.

Districts notified of noncompliance which have not negotiated or submitted plans.—Karnes City ISD, Texas.

Districts notified of noncompliance which are involved in administrative enforcement proceedings.—Uvalde ISD, Texas.

Districts notified of noncompliance which are implementing plans.—Beeville ISD, Texas; Bishop ISD, Texas; Carney Rural ISD, Texas; El Paso ISD, Texas; Fort Stockton ISD, Texas; Lockhart ISD, Texas; Los Fresnos ISD, Texas; Ozona ISD, Texas; Eagle Pass ISD, Texas; Harlingen ISD, Texas; Pawnee ISD, Texas; Rotan ISD, Texas;[1] San Marcos ISD, Texas; Santa Maria ISD, Texas; Sierra Blanca ISD, Texas; Soccoro ISD, Texas; Weslaco ISD, Texas; Hobbs, New Mexico.

Districts scheduled for review.—Alvin ISD, Texas, Houston, Texas (Comprehensive equal educational services review planning to begin April 1, 1974); San Benito ISD, Texas.

REGION VII, KANSAS CITY

Districts presently under review.—Ulysses, Kansas; Waterloo, Iowa.

Districts notified of noncompliance which are negotiating plans.—Garden City, Kansas; Holcomb, Kansas; Topeka, Kansas.

REGION VIII, DENVER

Districts presently under review.—Colorado Springs, Colorado; Fort Lupton, Colorado; Pueblo City, Colorado.

REGION IX, SAN FRANCISCO

Districts presently under review.—Delano, California; Pomona, California; Watsonville, California.

Districts notified of noncompliance which are negotiating plans.—Tempe, Arizona; Tucson, Arizona, Winslow; Arizona; Bakersfield, California; Fresno, California.

Districts scheduled for review.—Los Angeles, California (Comprehensive equal educational services review planning to begin April 1, 1974).

REGION X, SEATTLE

Districts scheduled for review.—Cassia County, Idaho.

Mr. MEEDS. Thank you, Mr. Gerry, for a very fine statement and review of what the Office of Civil Rights in the Department of HEW has been doing.

Mr. COOKE. We have no further prepared statements and we will be pleased to answer any questions you or other members may have.

Mr. MEEDS. In all of the criteria laid down on page 4 and throughout your testimony, Mr. Gerry, have you made any effort to determine to what degree or to what number of youth that must apply? I notice Blackmun's concurring opinion indicated there were a few students, that didn't apply. Can you make any determination as to how many students were involved?

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[1] Scheduled for post-plan monitoring.

Mr. Gerry. We have not at this point in time. I think the reason we have not is we have been concentrating on districts with a substantial number of children and the issue hasn't come up in our current enforcement strategy. It is an important issue.

Mr. Meeds. You are telling me because of the big problems you have not had time to worry about the small ones yet?

Mr. Gerry. Yes.

Mr. Meeds. I do mean it as a relative thing, because obviously the problem of a student not comprehending the learning language is a major problem for that student and the district when there are hundreds or thousands in the school district. When there are four or five in another instance, it is not a national problem, is that true?

Mr. Gerry. I would agree in terms of enforcement priorities.

Mr. Meeds. You perceive this to be a total Federal responsibility. Let's assume you go into a school district or you are called there. You may find there three or four of the matters touched on your testimony on page 4 where the student can't understand the English language and minority group children are defective in participation, or where they are defined on a national origin basis as slow learners or tracks systems were not employed by the schools to deal with these special language problems, or some of the other factors that you see in the situation. Whose responsibility does it become at that point?

Assume that a program must be implemented to correct these things and it is going to take money, whose responsibility is it?

Mr. Gerry. I think our viewpoint has been consistently, and continues to be, that it is the responsibility of the local school district to come into compliance with the Civil Rights Act. And it is really their responsibility to propose programs or plans which will accomplish that and their judgment with respect to available sources of support for that program.

I think the act clearly conditions receipt of Federal money upon compliance and doesn't tie that money to the compliance itself.

Mr. Meeds. Mr. Bell.

Mr. Bell. Suppose the money is not available.

Mr. Gerry. I think if there were, in fact, no sources of revenue that the schools could utilize to provide adequate programs, which is a situation that is hard for me to visualize and hasn't, in fact, come up during the course of our compliance hearings, that would raise a very serious problem which we seriously haven't addressed.

Obviously schools cannot be made to do something which is administratively impossible. We have to take that into consideration in the use of our discretion in enforcing the statute, but I just want to emphasize that that really hasn't arisen or even a state of affairs I think that could be described as close to that.

Mr. Bell. Could title VII funds be used to implement a program in a case like that?

Mr. Gerry. I am sure title VII funds could be used, and we would be happy if such funds were used.

Mr. MEEDS. On the other hand, Mr. Gerry, it could include a school district which was providing a $10,000 course in basket-weaving and maintain that they were unable to afford a bilingual course which might also bring them into compliance and just incidentally cost $10,000. Would they contend they couldn't comply because of financial burden?

Mr. GERRY. I am sure they couldn't contend they couldn't comply. I think our contention would be whether they have the resources to provide basic educational resources to all students regardless of race or national origin.

Mr. MEEDS. What we are talking about here is the almost total inability of some children to move through our school systems adequately because of failure to understand the learning language. And it would be just like a school district failing to provide a good course in mathematics for all students, at least insofar as it applies to that group of people who simply don't understand, because they don't understand the learning language; is that correct?

Mr. GERRY. I think that is a fair description of what is really a total barrier to many children to any kind of advanced education.

Mr. BELL. What is the second largest minority language with which we have problems? I assume it is Spanish first, and what is the second?

Mr. GERRY. That is a very good question. The data that I have, the traditional data that I have seen, would show that the Chinese language is the second.

Mr. BELL. The second?

Mr. COOKE. I think if you take Asian in general, Japanese-American, Chinese-American, that is one of the largest groups.

Mr. BELL. Japanese or Chinese?

Mr. COOKE. Japanese in that group, Chinese probably is second.

Mr. BELL. Well, my question goes to the practicality. For example, do we have adequate teachers qualified in, say, Chinese?

Mr. COOKE. That is a significant problem. And another problem we have, sir, is that national origin minority extends beyond Spanish-surname, Asian-Americans, and the native Americans, and we do not have good data on other groups like Italians, French and so on.

Mr. BELL. Well, my question goes to that point. As you enforce the Civil Rights Act, are you seeing an adequate attempt on the part of our educational system to provide bilingual teachers in these languages, or is this being done haphazardly?

Mr. COOKE. I think it varies a good deal across the country. I would say that the attention paid to this issue has just begun recently within the last few years. As a result there is an extreme shortage of bilingual teachers in the country, and I don't think anybody has any doubts about that.

Mr. BELL. Thank you.

Mr. MEEDS. Just a few more quick questions. From HEW has there been any estimate of the national cost of providing adequate bilingual services to school districts where the numbers are significant enough to at least under the present quoting of the *Lau* case to require compliance?

Mr. COOKE. We are working on that right now, Mr. Chairman. I would suspect we would cover that issue very completely on the 28th of March when you have the Under Secretary and the Commissioner here. As I stated before, part of our problem is simply getting data for other than Spanish-Americans, Chinese-Americans and native Americans, and we are working on that and hope on the 28th to present the full picture.

Mr. Gerry. I think one other thing, when we started our review of New York City, for example, we became aware very early of the presence of upwards of 50,000 children in that school system who have recently immigrated, for example, from Italy, who were non-English-speaking. The children are members of a group who are similarly confronted with an English language system, and who would not necessarily be within the traditional definition of national origin minority groups.

This situation and the existence of other minority groups in the city is going to make the review and subsequent review more complex, but it is important, I think, to be as comprehensive as you can because of the problem facing these children as well.

Mr. Meeds. It is very obvious though, is it not, both Mr. Gerry and Mr. Cooke, that the $53 billion which we appropriated in fiscal 1974, and under which some 111,000 students participated, is a woefully inadequate national program?

Mr. Cooke. Well, I think I would like to say two things about that, Mr. Chairman. One is that there is no doubt with what the *Lau* decision makes for a reconsideration of the bilingual programs that local school districts will have to provide.

Second, with regard to the total amount of funding, I think again we will hear considerable testimony about that on the 28th of March, and I would only suggest here that what we have to really consider is how this burden of the local school districts, or actually the requirement the local school districts have had placed upon them will be met with regard to State, local and Federal funding.

Mr. Meeds. But regardless of who has to bear the burden of cost of what that estimate is, it will be an accurate estimate based on the need, and not on the basis of past appropriation?

Mr. Cooke. I think that is correct, Mr. Chairman.

Mr. Meeds. The gentleman from California.

Mr. Bell. Thank you, Mr. Chairman.

You mentioned, Mr. Gerry, in your comments on page 9 that many of the discriminatory practices were adversely impacting blacks as well as national origin minority children. I assume you mean language problem there?

Mr. Gerry. No, I don't really, Mr. Bell. What I was referring to was impacting procedures. The memorandum had four parts and the third part, for example, dealt with in-school treatment, ability grouping tracking, the way materials are provided, the level of expectations which sometimes influence the providing of materials and then ultimately to control the outcome.

Similarly, several of the reviews that we conducted, one in particular I can think of was in the Southwest, showed very similar patterns of treatment, in that case toward Chicano students and black students, in terms of the way the school system in question had relegated all minority children to lower level programs.

Mr. Bell. When you talk about the Southwest, are you including California?

Mr. Gerry. No, I am talking about our findings in Tucson, Ariz., which operated these schools. If you want me to describe it a little bit, the situation is somewhat illustrative of the point. The school system, in providing reading books to children in grades 1 and 2, assigned books on the basis of school rather than on the basis of individual educational assessments. In other words, low-average books or remedial books were assigned to predominantly minority schools and high-level texts to prodominately Anglo schools. And at the end of the year the standardized achievement test is given to measure the progress of those schools.

Well, what the school district was offering was a lower quantum of material, reading material, fewer chapters, if you want to put it that way, in minority schools, and more reading material and more information in Anglo schools, and then giving what appeared to be a fair test at the end of the year, but really measured the access of the children to the materials they had been given. So what was really being created was there was a circle of initial control of textbooks material and then the "objective measurement of achievement."

We ultimately reached these conclusions in the context of what started out to be——

Mr. Bell. That situation you describe—would you call that a violation?

Mr. Gerry. Yes, we in fact did call it a violation of title VI.

Mr. Bell. What would you do? I am just looking at the practical side of it. Suppose what actually happened might have been, and I am in no way defending that position, except that I would see this possibility, where maybe at a certain school these children could cover a great deal more. That doesn't overlook the violation, when you say they could cover a great deal more. Because they were problems, the other children couldn't cover so much, so they didn't make these materials available to them because they knew they couldn't cover it. But that would still be a violation?

Mr. Gerry. No, I think there are two important factors that I didn't add. One, in the schools in districts with higher level books there were few remedial books around for the Anglo students who could perform at the average level, whereas the reverse wasn't true.

The second is that what we would be interested in is the time span where some remedial compensatory program was being operated, and whether there was really an opportunity for the students who were in the slower or lower level groups to actually move out of those groups based on demonstrated ability, and whereas in this district there was none, regardless of individual ability, those are important distinctions I would like to make.

Mr. Bell. Mr. Gerry, when I asked you the previous question, you said title VII funds could be used. Would that raise the problem of whether funds would be used to supplant rather than to supplement—in other words, would you view that as an attempt to supplant in those areas where bilingual programs didn't function effectively—didn't do anything, as a matter of fact.

Mr. Gerry. I think the answer to that question is more of a programmatic than civil rights question. Mr. Barrett would be a better person to respond.

Mr. Barrett. Mr. Bell, I think it could very well raise questions of whether the Federal funds were supplanting rather than supplementing local revenues. The answer to the question, however, might very well turn on the particular project upon the past program the district had had. And on the way in which the *Lau* obligation had been particularized either under court order or HEW plan, approved plan for that district. So they don't think you can give a general answer that will apply to all districts in all circumstances where title VII funds might be used.

I might add, however, we are looking more closely at that question to see if some general answers can be provided.

Mr. BELL. Mr. Chairman, I haven't any more questions.

Mr. MEEDS. The gentlewoman from New York.

Mrs. CHISHOLM. Thank you very much.

I have so many questions and so many things are running through my head, but I will try to bring them out as I see them. First of all, I am so glad we have had the opportunity to have these hearings. They have proved to be very necessary, very vital. It has been clearly established in the United States that a total of 5 million children go to school with English-speaking difficulties and of these 5 million approximately 1¼ million are Mexican-Americans.

The U.S. Civil Rights Commission stipulated that they are being denied educational opportunities because of this vicious cycle. Now, we see that only 4 percent of these youngsters are receiving assistance under this program.

I think bilingual education ought to be a real priority. Many persons cannot function in our automated technological society because of their inability to handle the English language. They can't read it, can't fill out our records, can't handle application forms. That being the case, it would seem to me that it is important for HEW to give priority to funding bilingual programs. One reason why we have public assistance rolls in this country, one of the reasons we have so many people trying to get assistance at other levels, is because of the lack of sufficient education. That knowledge is very vital and bilingual education is an essential key for these children. In view of this I find it interesting to note that in fiscal year 1974 only $35 million was requested for the bilingual programs by the Administration. This is a drop in title VII funding from $55 million in the previous year. About 24 different language groups are currently being funded. And only 111,000 youngsters are participating in these current projects, yet we know that we have close to 5 million children in this country that need this kind of assistance.

In view of this and in view of the *Lau* decision, what will be the role of the Federal Government in implementing the results of this decision? Will the Federal Government now place itself in the role of trying to reassess its own educational priorities? Can we expect you to press for a greater concentration of resources in the field of bilingual education?

I am very interested in this, because you see 40 percent of the American students in this country drop out of high school—40 percent. In Boston, Mass., 90 percent of the Puerto Rican students drop out before they get to high school. These statistics are very important. You can't just talk about moneys or the curriculum of schools, or how the teachers are trained.

That is not the issue as I see it. The issue is in light of the fact that a knowledge of the English language is necessary to function in our society, what is the position of HEW with regard to the future of bilingual education programs.

Mr. GERRY. I can only address one and Mr. Cooke can talk about the other programs.

Mrs. CHISHOLM. Surely.

Mr. GERRY. We have in the past given high priority—we will be giving really high priority to these important issues. I think the five areas we distinctly singled out for our comprehensive program (New York, Chicago, Philadelphia, Washington, and Houston) represent a very large percentage, in terms of five cities, of the populations that you are talking about.

We will continue and I think we indicated with an effort in several States, both this spring and this fall, to actively move in the direction as quickly as we can of securing a compliance plan. Mr. Cooke can talk a little bit more about the implications as they relate to budget considerations.

Mr. COOKE. Yes, as I have said before, I think that all these considerations that you are raising just may well be taken into account. I will certainly carry the message back to the Under Secretary, who will appear before you on the 28th.

I agree with you that a major review and discussion of the Federal policy with regard to bilingual education is required, and I think these hearings will be the vehicle by which we do that.

Mrs. CHISHOLM. One more question, Mr. Cooke. In view of the fact that the plans for implementing the bilingual program were placed in the Federal Register in October of last year, and your Advisory Committee was not established until January of this year, would you agree that you are violating the intent of the act?

Mr. COOKE. Well, I would say that the delay in bringing the Advisory Committee on board is regrettable. I would say, however, that the real policy issues will be discussed now, partly because the *Lau* decision is now out, and we know what it says, which we didn't know previously. And, secondly, of course, we now have before us two bills, the House bill H.R. 69 and the Senate bill S. 1539, which are going to possibly change the directions in which title VII is moving, particularly the Senate bill, which is completely different.

Mrs. CHISHOLM. Thank you. No further questions, Mr. Chairman.

Mr. MEEDS. The gentleman from Puerto Rico.

Mr. BENITEZ. Contrary to my distinguished friend and colleague, the gentlewoman from New York, I will not have a final question to ask, but I would like to make an observation concerning this situation, if I may, Mr. Chairman. And it is this, that we are on the threshold of a basic educational revolution in the United States. And I think the *Lau* v. *Nichols* case will be regarded as a landmark in education, in culture and in democracy in the United States comparable with *Brown* v. *Board of Education*.

I would think that it is of the utmost importance that we be aware of the fact that we are in that threshold, and this recognition of the lateness of bilingualism and plural-lingualism in the United States bespeaks of a future of greater heterogeneity and at the same time of greater harmony, and essentially human respect and human integration.

So rather than asking questions, I would like to underscore the fact that this is a most significant, historical decision, and one which will affect the future of not only education, but of cultural awareness and respect and growth in the United States. And I wish to congratulate the people in the Civil Rights Division, and particularly Mr. Pottinger, for assisting so brilliantly in the way of recommending this fundamental program for human progress.

Thank you.

Mr. MEEDS. The gentleman from New York.

Mr. BIAGGI. Thank you, Mr. Chairman.

I am not about to engage in lofty rhetoric concerning the need for the program and the lofty purpose of it. My comments will be brief, and I have some questions. One, I think it is unfortunate that it was necessary that we have *Lau* v. *Nichols*. Because of our philosophy of equal rights this should have been done without the need of court suit. Let me pose this question, in the bilingual programs—any one of you can answer or all of you—what languages are being taught?

Mr. COOKE. I don't have that data with me, but certainly Spanish, French, American Indian, Chinese, and Japanese are being taught. And do you know of any more, Martin?

Mr. BIAGGI. Do you have any Italian?

Mr. COOKE. I don't know. We will have to check that out.

Mr. BIAGGI. Well, very frankly that is a sad commentary. The Italians are a very large group, and the need is great. Now, it is either deliberate oversight or just plain ignorance. Also do you have any Albanian?

Mr. COOKE. Again, sir, I don't have the list of the projects with me to know exactly what is in all of them. To be certain, the list will be covered when you meet with the Commissioner of Education on the 28th of March, and we can give you all the languages that are currently being supported under title VII plus whatever is in title I and ESAA and whatever local districts are doing that we are aware of.

Mr. BIAGGI. Do you have any Greek?

Mr. COOKE. Again, I don't know.

Mr. BIAGGI. Again it is a sad commentary. Mr. Pottinger, from your office would you construe this to be some form of discrimination, or give your interpretation of this absence of knowledge? Frankly, I can only conclude that if you are not familiar, you don't have it.

Mr. POTTINGER. I am sorry.

Mr. BIAGGI. I would like your comments in connection with this, because I say, first, it is discrimination; No. 2, absent that, if you can persuade me it is not, please give me instruction on your interpretation of this absence of knowledge.

Mr. POTTINGER. Well, I don't believe that the knowledge is absent, Congressman, in any functional or important way. I can understand in the nature of preparation for testimony that not every piece of knowledge the Department has on the program is at this table this morning. But I do think my own testimony in this field, and I believe the gentlemen from HEW will confirm, is that if there is indeed a lack of English-speaking capability because of national origin existing, then the principles of the *Lau* decision would apply regardless of the national origin in question.

That would include, in other words, Italian children, Albanian children and others, if there were a requisite *prima facie* discrimination on ground of national origin because of any areas, meaning size of class as perhaps the court indicated. But however one reads the *Lau* decision, its principles would apply wherever national origin discrimination exists.

Mr. BIAGGI. It seems to me that is the way it should be. Have surveys been made in this country to determine whether or not that would apply?

Mr. GERRY. Maybe I can respond. On page 10 of my testimony I specifically mention that our review of the New York school system, which is underway now, would focus on Italian, Greek, and French speaking, particularly Asian minorities, as well as other linguistics minorities in the city. It was our intention to continue that in the city where there are significant numbers of non-English-speaking children from other groups.

We are aware of substantial groups of Italian speaking as well as Greek and French speaking children. We intend to treat the review with respect to those groups just as we are going to treat them with respect to all national origin minority children.

Mr. BIAGGI. Well, I am glad to hear that. This is 1974 and the bilingual program has been in effect since 1967.

Mr. GERRY. I am talking about the Civil Rights compliance. I am with the Office of Civil Rights.

Mr. BIAGGI. I have no quarrel with your department. I appreciate that, but I am talking about the overview of the whole picture.

[The information referred to follows:]

Language—Ethnic group served by title VII bilingual education in fiscal year 1973

Language/ethnic groups	*Number of projects*
1. Spanish, total	165
A. Mexican American	114
B. Puerto Rican	31
C. Cuban	2
D. Mixed Spanish speaking	18
2. American Indian, total	16
A. Acoma	1
B. Cherokee	1
C. Cheyenne	1
D. Choctaw	1
E. Cree/Chippewa	1
F. Crow	1
G. Eeloponkee/Miccosukee	1
H. Lakota	1
I. Navajo	6
J. Passamaquoddy/Algonquin	1
K. Seminole	1
3. French	6
4. Portuguese	4
5. Chinese	2
6. Chamorro (Guam)	1
7. Palauan/Ponopaean (Marina Islands)	1
8. Yupik/Eskimo	1
9. Multilingual	13
Total	209

SUMMARY OF TITLE VII BILINGUAL PROJECTS BY STATE, FISCAL YEAR 1973

State	Expenditures	Total number of projects	Language/ethnic groups served
Alaska	$170, 170	1	Eskimo.
Arizona	983, 150	9	Mexican American (6), Indian (3).
California	10, 540, 693	60	Mexican American (52), Multilingual (5), Chinese (2), Portuguese (!).
Colorado	938, 803	7	Mexican American (6), Multilingual (1).
Connecticut	405, 750	3	Puerto Rican.
Florida	1, 010, 293	3	Mixed Spanish Speaking (1), Mexican American (1), Indian (1).
Idaho	75, 276	1	Mexican American.
Illinois	570, 738	2	Mixed Spanish Speaking.
Indiana	247, 987	2	Do.
Louisiana	543, 000	4	French (3), Cuban (1).
Maine	334, 368	3	French (2), Indian (1).
Massachusetts	783, 784	7	Puerto Rican (3), Mixed Spanish Speaking (2), Portuguese (2).
Michigan	458, 177	4	Mixed Spanish Speaking.
Montana	379, 259	3	Indian.
New Hampshire	158, 500	1	French.
New Jersey	819, 866	4	Puerto Rican (2), Cuban (1), Mixed Spanish Speaking (1).
New Mexico	1, 353, 209	12	Mexican American (8), Indian (3), Multilingual (1).
New York	4, 544, 963	26	Puerto Rican (20), Mixed Spanish Speaking (3), Multilingual (3).
Ohio	120, 771	1	Mixed Spanish Speaking.
Oklahoma	465, 780	3	Indian.
Oregon	125, 640	1	Multilingual.
Pennsylvania	675, 275	2	Puerto Rican.
Rhode Island	241, 098	2	Portuguese (1), Multilingual (1).
South Dakota	130, 577	1	Indian.
Texas	6, 117, 766	39	Mexican American (38), Multilingual (1).
Utah	129, 432	1	Indian.
Washington	301, 347	2	Mexican American.
Wisconsin	158, 913	1	Mixed Spanish Speaking.
Puerto Rico	85, 000	1	Puerto Rican.
Virgin Islands	115, 000	1	Do.
Guam	189, 528	1	Chamorro.
Mariana Islands	75, 305	1	Palauan Ponopaean.
Total	33, 249, 418	209	

Mrs. CHISHOLM. Mr. Chairman?

Mr. MEEDS. The gentlewoman from New York.

Mrs. CHISHOLM. Yes, I would like to make a comment here. It may be agreed on by some individuals; it may not be agreed to by other individuals. The Court emphasized that basic English skills are at the very core of our public education system, and that those students who do not understand English are effectively foreclosed from any meaningful education. It would seem to me that there are very few of us in these United States of America who did not cross the ocean to escape religious, economic, and/or political persecution in the lands abroad, and that many people came here because this place was called the "land of the free and home of the brave."

So this country is a multifaceted seat, I daresay, of maybe some 200 to 300 to 400 different ethnic groups and ethnic peoples: Polish people, Jewish people, Romanians, Italians, Greeks. This is the so-called melting pot—I don't like that word, but since it is used so much, people will know what I mean.

Therefore in speaking about bilingual education, our comments are applicable to just about every group in the United States, because our ancestors came from all these different countries. But we have to be very, very careful and we have to acknowledge that if indeed we are going to help youngsters in America who cannot function and will not be able to function primarily because of this language barrier that in any criteria or any guidelines that HEW is going to draw up they must assess which children have the most critical needs. I am speaking now as an educator, not as a politician——

Mr. MEEDS. Is there a difference?

Mrs. CHISHOLM. There is. We need to know the percentage of youngsters that are dropping out of school, because of the failure of the school system, to take into consideration the bilingual problem. The reason I raise that issue, and there are many people that disagree and I welcome disagreement, but the reason I raised it is because essentially and basically every group in these United States should have some form of bilingual education for we are a nation of immigrants. But I think what we are trying to do, we are trying to establish a few priorities as to which children have the greatest need for assistance.

I just hope that as HEW grapples with this problem, that you take into consideration the educational factors, the particular community, and what is happening throughout. I just wanted to raise that, because I think that if we are not careful to explain this particular factor, there is no doubt in my mind that every other group in this country, and perhaps rightfully so, will say that we too are entitled and we need bilingual education, because essentially this country is founded on the development of thousands of different ethnic peoples that have come to these shores.

Mr. MEEDS. Finally, I would like the opinions of all of you on the following question: How do you expect to enforce the *Lau* decision? First of all, Mr. Pottinger, the Justice Department.

Mr. POTTINGER. Mr. Chairman, the Court in the *Lau* case decided the issue presented before it solely on the basis of title VI of the Civil Rights Act, as you know. It declined to state or even consider that there was a 14th amendment constitutional duty, but the effect was probably to reach virtually all of the same practices and school districts that would have been reached under the 14th amendment.

I cite the decision again to you to point out that, speaking on behalf of the Justice Department, our jurisdiction to enforce the *Lau* decision rests on title VI, as indeed does the Department of HEW. But therefore since title VI does not provide an independent basis upon which the Justice Department would file suit, we will be dependent upon referrals of suits that may come from the Department of HEW.

As I have testified, in the event that HEW sees fit to refer cases to us for enforcement in the courts, we stand ready, and, we hope able, to take those referrals and probably to enforce them for Court action. I might add that internally within the executive branch of government we also are at what I believe to be a high level of cooperation in that regard between the Justice Department and HEW. We know what HEW is planning to do. We offer our assistance in terms of Court actions in the event that becomes relevant.

We are working hand in glove, I believe, on conservative cooperative enforcement measures.

Mr. MEEDS. What, Mr. Gerry, does HEW Civil Rights and HEW Education expect to do about the enforcement of the *Lau* decision?

Mr. **Gerry**. Mr. Chairman, I think, as I indicated in my testimony, we have really got two different, but, I think, integrated strategies. The first is the comprehensive enforcement efforts in five cities they indicated: New York is already underway, Chicago, Houston, Philadelphia, and Los Angeles.

Mr. **Meeds**. Well, I read your statement, Mr. Gerry, and it is a fine statement. But let's assume that the school district—let's be a little more specific, let's assume that school district A with 2,000 or 20 percent of its student population are Mexican Americans, that there is no bilingual education in the school district at all, and you come along and find all of the criteria even more so than you said. What are you going to do at that point?

Mr. **Gerry**. Well, if we were aware of those facts and had that before us, we would initially do an analysis to see whether adverse impacts, that is an important point——

Mr. **Meeds**. I assume in this question that there would be.

Mr. **Gerry**. I think in that case what we would do would be normally communicate our findings, and attempt to negotiate with that school a program of equal access to eliminate these kinds of barriers. That is what we have done in, I think it is, upward of 35 or 40 school districts.

Mr. **Meeds**. All right, let's assume, further, that you negotiate with them and that they say we can't afford it. And let's assume, further, that they have this $10,000 basketweaving course, and that a good bilingual course would also cost $10,000. What do you do then?

Mr. **Gerry**. Well, there are really two approaches. One is to try to persuade the school district of the fundamentalness of its obligation, of the legal requirement of the school district, to try.

Mr. **Meeds**. Well, we have already done that. You have been negotiating.

Mr. **Gerry**. Well, if that fails, we have essentially two options available: One, to proceed with the administrative enforcement mechanism open to the Department, which involves a hearing before a Federal hearing examiner; and the other is enforcement through refusal to Mr. Pottinger's office. And that decision, when we reach this impasse as you describe it, is based really on an assessment by our Office of the likelihood of achieving voluntary compliance by continuing administrative enforcement.

We think it is important that we refer the matter for judicial action if voluntary negotiation fails. And the question really would be one of the Department of Justice to proceed at this point.

Mr. **Meeds**. So you are not really prepared at this time to take many of these cases into court?

Mr. **Gerry**. Well, at this juncture what we have outlined, I think, is a total of about 210 school districts.

Mr. **Meeds**. How about the argument for decision? Perhaps it is justified that we need in this country 85,000 Spanish teachers to really properly implement a good bilingual program of Spanish Americans, and there simply aren't that many Spanish. I am aware of that. I am not arguing that there may be proper or improper decisions under the circumstances that exist, but it really occurs to me you don't have much inclination to go to court.

Mr. GERRY. Well, let me clarify, Mr. Chairman, we have been negotiating with 70 school districts to date. In those negotiations over and above the ones we are either currently negotiating with, we have accepted plans from all but two districts. One of these two is in administrative enforcement proceedings, or activity there. The second is being prepared at this point in time for either administrative enforcement proceedings or referral to the Department of Justice. We have not to date accepted in any sense a justification by any school district that because of financial conditions it is unable to comply with the requirements of the memorandum or title VI.

We haven't accepted such a justification. We have not really seriously been offered that justification. And at this point in time there are only two districts which have declined in our judgment to comply, and we have proceeded as quickly as possible with those districts.

Mr. MEEDS. In your opinion it is possible, however, to cut off Federal funds to school districts that fail to comply with title VI of the Civil Rights Act?

Mr. GERRY. Yes.

Mr. MEEDS. And this can be done after the administrative hearing about which you spoke?

Mr. GERRY. That is correct. And there is an administrative hearing process which includes an appellate body and also a decision of the Secretary of the Department.

Mr. MEEDS. And I am again not saying that is the way to go in any case, but that is an example.

Mr. GERRY. Yes, we proceeded, for example, with Boston's school system, the Uvalde, Texas school system, and we are currently actively engaged in that process.

Mr. MEEDS. Very well, thank you. Any questions?

Mrs. CHISHOLM. Have you had other groups file suits with HEW, civil rights complaints with HEW, subsequent to the *Lau* decision?

Mr. GERRY. Have we other groups filed complaints? Do you mean other ethnic groups?

Mrs. CHISHOLM. Yes.

Mr. GERRY. I see most of the incoming mail in this area, but I think some groups have referred to, particularly Italians, Greeks, and other national origin minorities have contacted us in the past. We have specific complaints, if you are interested in them.

Mrs. CHISHOLM. OK.

Mr. MEEDS. The gentleman from New York.

Mr. BIAGGI. I want to pose a set of facts and ask you how you would treat them. You have an existing program in the schools in light of the *Lau* decision. You have another group that is eligible, that takes more funds. What is the course of action you would contemplate?

Mr. GERRY. From a civil rights enforcement or programmatic?

Mr. BIAGGI. Programmatic, civil rights, I think they are interchangeable.

Mr. GERRY. From the civil rights standpoint the requirement that we have imposed are that all children who need the services must be provided services in order to insure their access to educational programs. And so for our purposes we would not limit or restrict the relief required in title VI to children who are participating in any particular program if it is clear that other children who need services are not participating in the program.

Mr. BIAGGI. Let me stay with you just a minute. You have a limited amount of money and no one questions the need for each group. You are using all that money now, but you probably could use more. What it tells me is that you are going to have to divide that money and someone is going to suffer. Is that a fact? It would seem to be a logical conclusion.

Mr. GERRY. I think it assumes that school districts have maximized all available resources prior to that situation occurring, both from State and local funds—State funds and local tax revenues—and Federal dollars. If that were the situation, and there was a rapid expansion of services, I think you could reach that conclusion.

My experience is that very few school districts have, in fact, maximized all of their resources to provide these kinds of services when we arrive on the scene and begin to discuss the need for title VI relief, so that usually there are resources, particularly from State and local funds that may not have been utilized to the degree that they could have been utilized.

Mr. COOKE. There are several areas, of course, where assistance could be provided through the Federal Government: title I, title VII, ESEA, and also Emergency School Aid Act which has bilingual capacity also. I think that the issue that you are raising basically is one in which you believe, and we certainly do also, that any specific national origin minority group should not be denied these services. And I think that is what the *Lau* decision says.

In terms of program, I think we will testify much more extensively on this on the 28th of March when we go into the whole Federal program of bilingual education, and the policies therein. However, I think it is fair to say, as Mr. Gerry has pointed out, that the requirement for State, local, and Federal funds to provide these services, and indeed go out and make it available to all children who have limited or non-English capability.

Mr. BIAGGI. Well, we are all saying the same thing. We all agree apparently. But isn't it a fact that what we are really looking to is more money?

Mr. COOKE. Well, I think there is no question that there is going to have to be more money in bilingual education. I think the basic question is whose money, and I think that is something we are going to be talking about when we come up on the 28th of March.

Mr. BIAGGI. Thank you.

Mr. MEEDS. Yes, I hope, Mr. Cooke, that you will inform your immediate superiors to be prepared to tackle that question, because it is very clear you are not prepared to tackle it right now. But it is very clear that this committee is going to want to know, one, how many children you estimate are in urgent need of this kind of program; two, how much it costs per child; and three, where does the money come from?

Mr. COOKE. Yes, sir.

Mr. MEEDS. OK.

Mr. Cooke. Yes.

Mr. Meeds. Thank you. Thank you all, gentlemen, for your help. You are a very good panel.

Mr. Cooke. Thank you, Mr. Chairman.

Mr. Meeds. Our next witness is Mr. Ling-Chi Wang, who is a lecturer in Asian Studies at the University of California; and a Director of Chinese for Affirmative Action, a civil rights organization, which has been partially instrumental in the results of our case and who continues, if my brief skimming of his testimony is correct, to have an interest in that matter and all matters regarding what this committee is presently examining.

Welcome to the committee, Mr. Ling. We will be glad to have you.

STATEMENT OF LING-CHI WANG, LECTURER IN ASIAN STUDIES, UNIVERSITY OF CALIFORNIA, BERKELEY; AND DIRECTOR, CHINESE FOR AFFIRMATIVE ACTION

Mr. Wang. Mr. Chairman and members of this committee, I welcome the opportunity to testify before this General Subcommittee on Education. In response to the committee's request, I have prepared a long statement for the record. I will simply summarize my statement at this moment. And in a way I wish that the gentlemen from Justice and HEW would stay, because I have all kinds of questions to ask them. Maybe at a future hearing I will have a chance to ask some of these questions again.

First of all, I want to commend this committee's leadership in pioneering the concept of bilingual education, under title VII of the Elementary and Secondary Education Act of 1965.

Bilingual education programs have since been proven to be a most effective and just means of meeting special educational needs of schoolchildren who have limited English-speaking abilities. Secondly, I also want to commend your prompt recognition of the far-reaching ramifications of the recent Supreme Court decision in *Lau* v. *Nichols* for all the school systems with a substantial number of non-English-speaking schoolchildren.

The committee is absolutely correct in seeing the decision as a mandate for bilingual education and the urgent need to hold these oversight hearings to review existing authorities and current appropriation levels for bilingual education, as well as the relationship between the various Federal programs.

In my prepared statement I discussed at length the history behind the *Lau* v. *Nichols* case and the many reasons for the Chinese American community's decision to seek legal remedies.

Basically, we had over 3,000 Chinese-speaking children in the San Francisco Unified School District in 1970. An overwhelming majority of them were not only denied the opportunity to learn English, but also forced to attend classes conducted only in English. Only a small privileged minority of these 3,000 was given 1 or 2 hours of intensive English or ESL instruction each day. The rest of the day, they, together with those without any help in English, must sit through classes totally incomprehensible to them and must compete hopelessly and helplessly with their English-speaking peers.

Little wonder our children were intimidated, our youth were dropping out of school, and the juvenile delinquency rate in this community went sky high the last 10 years. To subject cruelly our non-English-speaking children to this kind of irresponsible practice and psychological abuse, I submit, is both unjust and repressive.

In my opinion, this is precisely what the Supreme Court had in mind when it unanimously ruled that the San Francisco school system illegally discriminated against some 1,800 non-English-speaking Chinese American students by failing to help them surmount the language handicap, thereby denying them "a meaningful opportunity to participate in the public educational program."

In fact, the Court found—

> No equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

The Justices unanimously declared—

> We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful.

Even though the Supreme Court deliberately did not urge any specific remedy, it is unmistakably clear to us from these statements that "meaningful education" and "effective participation in educational programs" for non-English-speaking children could be achieved only through comprehensible bilingual instruction given by bilingual teachers. In short, the Supreme Court decision implicitly mandates bilingual education, which unfortunately the gentleman that came before me tried to walk on a tightrope and refused to draw this type of conclusion from the decision.

There are some who think that pulling non-English-speaking students out of regular classrooms 1 hour a day for ESL instruction will fulfill the requirement of the Court. To these people I will simply say that the pullout ESL classes by themselves, without substantial complementary bilingulal education components, have been most ineffective in providing a comprehensive education for our children.

In addition, they have created both physical, linguistic and social isolation of non-English-speaking children by separating them from regular classes for their one-a-day-brand ESL class on the one hand, and by isolating them from their peers socially and linguistically through mixing them with English-speaking classmates the rest of the day, on the other hand. This practice, too, I submit, is illegal.

The Supreme Court's action sent the case back to the San Francisco District Court, with the order that "appropriate relief" be required. According to the Assistant Attorney General, J. Stanley Pottinger, both the Department of Justice and HEW "will want to cooperate with San Francisco school authorities to remedy problems addressed in the Supreme Court decision." He indicated that San Francisco's school officials would have to submit a plan to the district court for approval. I would like to inform this committee that there are at least 10,000 schoolchildren of different linguistic origins awaiting the appropriate relief in San Francisco today.

Many citizens organizations have been studying the significance of the decision and have come out with concrete proposals to meet the requirements of the Court. Yet we have to this date heard of no involvement of either HEW or Justice, in the formulation of the San Francisco plan. Our attempts to contact them have yielded to date no response from them, and today I think you just heard from them; there was nothing new said in spite of the decision; all we heard was a lot of beating around the bushes.

I can assure you it this trend continues, San Francisco will get more of the same one-a-day-brand ESL classes and then the rest of the time all of our children will have to either swim or sink. We think that the Supreme Court decision provides the strongest legal support of the regulations issued by the Office for Civil Rights on May 25, 1970, and mandates bilingual education as the prerequisite for equal access to opportunity for non-English-speaking children.

We are both surprised and disappointed that the Office for Civil Rights has not seized this opportunity to push the kind of bilingual bicultural programs it has developed for places like San Filepe del Rio in Texas and Denver, Colo., and has so far chosen to remain silent and disinterested in the development of a good master plan for bilingual education in San Francisco. I cannot think of a greater disservice to the cause of bilingual education across the Nation the OCR could do than to evade their responsibility in this very critical time and in a very critical case by failing to do something meaningful for the 5 million non-English-speaking children in the United States.

In conclusion, I would like to make the following recommendations: I think it is time that the Congress declare its strong commitment to provide both leadership in and funds for bilingual education. This will mean a new comprehensive bilingual education bill of at least comparable magnitude as the Kennedy-Cranston bill from the Senate side.

Second, that the Office for Civil Rights be given broader power and clearer mandates to help develop bilingual education plans in school districts for significant numbers of non-English-speaking children.

Third, that the National Institute of Education be required to conduct research and evaluation for bilingual education as part of its overall goal of providing equal educational opportunities. And I want to emphasize this part about influence and evaluation. In 1972 the California State Legislature decided to pass a law requiring that all school districts must conduct an annual census of non-English-speaking children in each school district and report their findings to the State superintendent of public instruction. The first of these results came out recently based on last year's report, and I think this committee will be interested in knowing that in Delano, Calif., where there has been a lot of struggle going on regarding the rights of farmworkers, especially the Mexican Americans and Filipino Americans, the school district reported no students that are in need of, you know, special help in English language!

And, similarly, Fresno, another place with a lot of farmworkers, reported that there were only seven non-English-speaking children in that city. Now, obviously there is something wrong with the measuring instruments that they were using, and really there has to be some kind of leadership in research and evaluation from our National Institute of Education in this area.

Fourth, that local educational agencies seeking funds under title VII be required to submit a districtwide master plan for bilingual education, detailing need assessments, resource inventory, models, planning, evaluation, teacher training, curriculum design, and content, and, very important, community participation.

Fifth, that the need of the Asian Americans, including the Chinese, Filipinos, Japanese, and Koreans, be not ignored by the Office of Education and the National Institute of Education as they have been in the past 5 years.

And, finally, Congress should declare its determination not to let the mandate of the *Lau* v. *Nichols* decision suffer the same disastrous fate and treatment as the *Brown* v. *Board of Education* decision of 1954.

I think I will end my summary testimony here.

Mr. MEEDS. Thank you very much, Mr. Ling-chi Wang.

Without objection your prepared statement will be made part of the record and also the statistics which accompany that prepared statement.

[Statement follows:]

PREPARED STATEMENT OF L. LING-CHI WANG, LECTURER IN ASIAN STUDIES, UNIVERSITY OF CALIFORNIA, BERKELEY

My name is L. Ling-chi Wang. I am a lecturer in Asian Studies at the University of California, Berkeley, and a director of Chinese for Affirmative Action, a civil rights organization in the Chinese community in San Francisco. CAA has been most active in promoting and producing bilingual education programs in San Francisco. Through our experience, we have discovered that bilingual education is the most effective way of teaching English and at the same time imparting knowledge and skills to the Chinese-speaking. Since I was asked to testify specifically on the history and impact of a recent Supreme Court decision, namely, the decision in the case of *Lau* v. *Nichols*, I will confine my remarks to public education as it relates to that decision in San Francisco.

INTRODUCTION

On January 21, 1974, the U.S. Supreme Court in the *Lau* v. *Nichols* case unanimously ruled that the San Francisco school system illegally discriminated against some 1,800 non-English-speaking Chinese American students by failing to help them surmount the language handicap, thereby denying them a "meaningful opportunity to participate in the public educational program." The Court found "no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education . . . We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful."

The Supreme Court's action sent the case back to the U.S. District Court in San Francisco with the order that "appropriate relief" be required. According to Assistant Attorney General J. Stanley Pottinger, both the Department of Health, Education and Welfare and the Justice Department "will want to cooperate with the S.F. school authorities to remedy problems addressed in the Supreme Court decision." He indicated that the San Francisco school officials would have to submit a plan to the U.S. District Court for approval and expressed hopes that the "first phases" of the plan could be put into effect this fall.

As of today, the case has not reached the Federal District Court in San Francisco, and, to my knowledge, there has been no indication that a plan is being developed by the San Francisco Board of Education. However, many citizens groups and civic organizations in San Francisco have been studying the impact of the decision and they have already come up with a number of proposals on how to meet the Court's requirements through citizen participation. In fact, a major proposal to develop a city-wide master plan for bilingual education has been submitted to the Board of Education and its administrative staff, but to date no word has been heard in response. It is our hope that the recent mandate of the U.S. Supreme Court will not suffer the same disastrous fate and treatment as the *Brown* v. *Board of Education* case of 1954.

I would now like to discuss briefly why the suit was originally brought and what impact this decision will have at the local, state and federal levels in terms of legislation and educational policies.

Before I begin, however, I would like to express my regret that Edward H. Steinman, attorney for Lau, was unable to participate in this hearing. It was a distinct pleasure for me to have worked with him during the last four years, and I would like to take this opportunity to commend him on his legal skills and dedication in seeing this case to its successful conclusion. I would also like to let this Committee know that many individuals and community organizations in the Chinese American community also worked very hard in providing leadership, courage and endurance in our struggle for quality and equality education for not just the Chinese American and Asian American, but for all people whose basic rights have been denied.

I. HISTORY BEHIND THE LAU V. NICHOLS CASE: SIGNIFICANT LEGAL AND EDUCATIONAL ISSUES

Legal issues

On March 25, 1970, thirteen non-English-speaking Chinese American students filed the lawsuit on behalf of nearly 3,000 Chinese-speaking students against the San Francisco Board of Education. The suit alleged that the Chinese-speaking children had a right to an education, but that they were not getting it in San Francisco because they needed special help in English. The denial of an English education "dooms them to become dropouts and to join the rolls of the unemployed," according to their parents. The suit asked the U.S. District Court to order the Board of Education to provide special English language classes with bilingual teachers and claimed that laws enacted by both the U.S. Congress and California State Legislature demonstrated the necessity for teachers to be bilingual. Without bilingual teachers, the plaintiffs contended, even special instruction in English would be a fruitless gesture, with students merely parrotting teachers rather than learning English.

Two basic issues therefore, were brought to the attention of the Federal Court: 1) whether the rights of non-English-speaking Chinese students to receive an education and equal educational opportunities require that the San Francisco Unified School District provide these students with special instruction in English, and 2) whether the rights of non-English-speaking Chinese students to receive an education and equal educational opportunities require that such special instruction in English must be taught by bilingual, Chinese-speaking teachers. For a number of reasons, the Supreme Court was not asked to rule on the second issue.

Causes of the suit

The suit was not developed in a vaccuum: on the contrary, it was the community's last resort after all other remedies had been exhausted. Prior to the lawsuit, every known avenue had been explored. For a number of years, the community had tried meetings, negotiations, studies, demonstrations and community alternative programs to rectify the rapidly deteriorating situation. The number of new immigrants entering the school system escalated by leaps and bounds each year. All these efforts invariably resulted in token gestures in the form of bandaids here and there on the part of the school administration which had neither the interest, nor the willingness, nor the competence, nor the commitment to cope with the rising number of non-English-speaking children.

It is interesting to observe that the following facts were stipulated to by both the plaintiffs and defendants and found by the Federal Court on May 28, 1970:

1. At present, there are 2,856 Chinese-speaking students in the San Francisco Unified School District who need special instruction in English.

2. Of these 2,856 Chinese-speaking students needing special instruction in English, 1,790 receive no special help or instruction at all.

3. Of the remaining 1,066 Chinese-speaking students who do receive some special help, 623 receive such help on a part-time basis and 433 on a full-time basis.

4. Only 260 of the 1066 Chinese-speaking students receiving special instruction in English are taught by bilingual, Chinese-speaking teachers.

It is important to point out that the above data was collected by the School District in December 1969 and no objective standard criteria were developed to collect the data. The subjective judgment of individual classroom teachers was the basis of the survey. Moreover, placement of these students into the few special English classes was generaly arbitrary, based on neither specially designed testing procedures nor ascertainable standards. Outside of these special English classes, most of the Chinese-speaking students needing help in English were placed in regular classes taught only in English where they could not adequately compete with their peers, leading them to eventual frustration, discouragement, resentment, truancy, delinquency and dropout. Similarly, teachers and counselors with Chinese-speaking students were equally frustrated and helpless. Their preparation and training did not include the teaching and counseling of Chinese-speaking students.

It is easy but unjustifiable to blame the language problem solely on recent Chinese immigrants. Research results indicate that the language problem has long been prevalent among Chinese students, both native-born and foreign-born, in San Francisco. Historically, discriminatory legislation and extensive vilification and abuse forced the Chinese into a state of ghetto existence continuing to this day. Most Chinese children, both foreign-born and native-born, enter school with insufficient or no English. It is significant to note that native-born Chinese students with this language problem are found at every level, including City College, San Francisco State University and the University of California, Berkeley, where I teach. These facts show that the language problem existed long before the two major influxes of Chinese immigrants between 1962–1965 and 1965-1970. Recent influxes of Chinese immigrants, we must admit aggravated the problem and created a crisis situation now existing in our schools.

Since there has been considerable public misunderstanding on the state of Chinese immigration, it may be useful to put this problem in perspective. Aside from the century-old language problem of the native-born Chinese, the San Francisco Unified School District was first confronted by the language problem of Chinese immigrant students the decade following World War II when Chinese American GI's were allowed, through special Congressional acts, to bring their wives and children from China. (No Chinese immigrants were allowed to enter the United States between 1882 and 1943; between 1943 and 1965, only 105 Chinese immigrants were allowed to enter the United States each year.) Between 1962 and 1965, about 15,000 Chinese entered the U.S. as 'parolees'. Almost all the parolees were refugees and immediate relatives of Chinese-Americans who for decades had been separated from their families because of anti-Chinese immigration laws. The abolition of the national origins quota system on October 3, 1965, for the first time allowed thousands of Chinese to rejoin their long-separated families. Careful examination of immigration statistics indicate that, since the passage of the new immigration law, approximately 1,500 to 2,000 Chinese immigrants, among them many school-age children, have settled in San Francisco each year. Available school statistics reflect the steady increase of Chinese students since 1945. Unfortunately, school administrators and the Board of Education did little to alleviate the language problem of our students until about 8 years ago. To complicate the language problem among our students are the physical, social and economic problems now existing in our community and left unattended by those in control of political and economic resources. These problems are mentioned because they are directly related to our students' performance and behavior in schools. Most school teachers and administrators are unaware of these problems. They therefore have no understanding of the learning problems of our students and they are unable to deal effectively with the language and other related problems.

What specifically was done to solve this language crisis in our schools? Our investigation revealed that no formal special language program existed in the elementary and secondary schools before 1966—the year the first pilot program of TESL (Teaching English as a Second Language) was established. In 1967 the District Curriculum Office found that "there were 907 Chinese children enrolled in the public school classified as beginners in the English language, and another 1,549 who were beyond the first year of English but needed help. In fiscal year 1967–68, the San Francisco Unified School District, in response to the stated problems, authorized $88,016 to put together a Chinese Bilingual Education Program, manned by 38 full-time and part-time TESL teachers, only a few of whom were bilingual (the program title was a misnomer). These teachers, with varying degrees of training in TESL methodology, were placed mostly in elementary and junior high schools. The curriculum used then, and still being used today with modifications, was adapted from one developed just then by a retired missionary from Indonesia for Chinese immigrant adults at the Chinatown-North Beach English Language Center. (It should be noted also that the first grade Title VII bilingual class at Commodore Stockton School was also using this curriculum). The effectiveness and appropriateness of this curriculum material developed originally for adults has never been evaluated. The adaptation of this curriculum was done on an ad hoc and individual basis, and students were placed generally into these special English classes according to age and availability of teachers and space. Two TESL teachers were added in fiscal year 1968–69, to bring the total number of part-time and full-time TESL teachers to forty. The budget for the TESL program was increased to $280,469. Nonetheless, the Education Equality/Quality Report No. 2, issued in February 1969, found the on-going TESL program "woefully inadequate." According to the report, the program lacked ESL teachers (only 14 full-time teachers in elementary schools and 4 in junior high) and had neither an adequate teacher in-service training program nor "language specialist on the administrative level to design an effective program that can be implemented in an orderly manner throughout all grade levels." On ESL materials, the Report noted that they were "virtually non-existent beyond the beginning level" and that there were no personnel assigned to develop materials and the curriculum. In spite of community demands for bilingual teachers and bilingual education programs, the district turned a deaf ear and continued on its own course.

The year 1970 witnessed the establishment of two pilot programs in addition to the on-going TESL program which retained the same budget level as the past fiscal year. The two pilot programs were: one bilingual class for 25 students and the Chinese Education Center serving 85 students in grades 1–6. The former received $51,500 under ESEA Title VII and the latter $100,000 from the School District. The latter was an ESL program for immigrant children, featuring community teachers, occasional explanation of concepts in Chinese, field trips and subject matter related to the Chinese community. Both programs were remedial and temporary in their orientation and the extent of their coverage was minimal and ineffective.

These, then, were the total efforts devoted to solving the language problem up to 1970. To sum up, these efforts were still woefully inadequate. Only one-fourth (an optimistic estimate) of the Chinese-speaking students who needed help were getting help in English, through mostly non-Chinese-speaking teachers, and little or no help in other subject matters. Students were placed arbitrarily in the school system. No standard of testing language proficiency had been devised, no evaluation had been conducted, no well-prepared teachers training program had been given, and no coordination existed between elementary, secondary and junior college levels. Students were being sent through the system with little regard for their scholastic or linguistic competence, resulting in anger, frustration, truancy and increased delinquency and dropout.

Undoubtedly, one of the major difficulties in trying to deal with the Chinese-speaking students was the negative attitude of many white teachers and administrators. They looked at the language problem as an added burden to their teaching and often treated their students with impatience and sometimes, contempt. This negative attitude created a corrosive questioning of the worth of the students' background in them, an attitude still manifested in many teachers and administrators by an unwitting denigration of a student's accent or use of his native language. No one was questioning the need for the Chinese-speaking student to acquire a basic fluency in English as quickly as possible in order to function adequately in school and in society. However, to ignore what he already knew and could comprehend in his native language and to treat him as if he knew nothing or as he were stupid, or to try to forcibly put him in all English classes was educationally unsound, psychologically repressive and legally in direct violation of his right to a basic education. Our deep concern for our children's right to learn English, to receive a basic education in a language they knew, and to develop a positive self-image was therefore the reason for bringing the lawsuit and challenging the status quo that was both irresponsive and repressive.

In short, it was against this setting that the lawsuit, *Lau v. Nichols*, was filed on March 25, 1970.

II. LOCAL SIGNIFICANCE OF THE DECISION: SAN FRANCISCO EXPERIENCE

Students needing immediate service

It is impossible to assess the impact of the Supreme Court Decision on the future policies and administration of the San Francisco Unified School District. As I mentioned earlier, there has been no concrete response or action taken by the San Francisco Board of Education, even though across the nation, especially in the Eastern and Southwestern states, the responses have been uniformly favorable and encouraging, and comprehensive plans are being made to meet local problems head-on. It is our hope that the San Francisco Board of Education will seize this unique opportunity to do something thorough and meaningful for all the children of non-English-speaking background because the size of our problem, instead of disappearing or decreasing with the passage of time, has since 1970 almost doubled. The following simple table illustrates the point:

TABLE I.—NUMBER OF STUDENTS NEEDING, RECEIVING, AND NOT RECEIVING HELP IN ENGLISH IN 1969 AND 1973

	Number of students needing help	Number of students being served			Number of students not served
		ESL pullout	Bilingual education	Total	
1969:					
Total	5, 269	NA	NA	NA	NA
Chinese	2, 856	623	433	1, 066	1, 790
1973:					
Total	9, 084	2, 686	1, 501	4, 187	4, 897
Chinese	3, 457	1, 398	247	1, 645	1, 812

Note.—A number of observations can be made about these figures. First, the total number of students needing help in English has almost doubled between 1969 and 1973. Secondly, only about half of those needing help are being served by a variety of special language programs. Thirdly, an overwhelming majority of those receiving help are being served by the ESL pull-out program, meaning these students are getting one or two hours a day in special language training. During the remaining class hours, they are expected to compete with their English-speaking peers in all subject areas. Fourthly, only 1,501 or one in six, are in a bilingual/bicultural program out of a total of 9,084 needing help in English. Moreover, 375 of the 1,501 are monolingual English-speaking students required to create racial balance. One cannot help but wonder what the monolingual teachers are doing for the remaining 7,583 non-English-speaking students in their classes everyday, since the Supreme Court found "no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum."

Table II gives a detailed breakdown by language groups, of the problem facing the San Francisco school system. It shows that there are 3,457 Chinese, 2,980 Spanish, 1,519 Filipino, 202 Japanese, 179 Samoan and 747 other students needing special help in English. These figures become proportionally and statistically significant when compared with the ethnic breakdown of the total school enrollment found in Table V.

TABLE II.—1973 CENSUS REPORT OF NON- AND LIMITED ENGLISH SPEAKING STUDENTS: TEACHER OPINION SURVEY, APRIL 1973

	Non-English speaking	Limited English speaking	Total
Chinese:			
Elementary	232	1,768	2,000
Junior high	138	533	671
Senior high	66	720	786
Total	436	3,021	3,457
Spanish:			
Elementary	295	1,642	1,937
Junior high	140	343	483
Senior high	15	545	560
Total	450	2,530	2,980
Filipino:			
Elementary	99	1,057	1,156
Junior high	11	194	205
Senior high	14	144	158
Total	124	1,395	1,519
Japanese:			
Elementary	16	102	118
Junior high	9	20	29
Senior high	0	55	55
Total	25	177	202
Samoan:			
Elementary	7	144	151
Junior high	4	6	10
Senior high	0	18	18
Total	11	168	179
Others:			
Elementary	93	425	518
Junior high	41	114	155
Senior high	0	74	74
Total	134	613	747
Summary:			
Elementary	741	5,138	5,879
Junior high	343	1,205	1,548
Senior high	95	1,556	1,651
Total	1,180	7,904	9,084

Note.—It is important to note that these figures of language proficiency were derived from a highly subjective teacher opinion survey conducted in April 1973. We have no idea of what measuring yardstick was used by the 4,142 teachers to arrive at these figures. Our suspicion is that these figures grossly underestimated the actual number of students needing help in English. If we further compare these figures with Table III, we can easily compute the number of students being left without any help in English at all Our computation indicates that besides the 1812 Chinese-speaking students not receiving any help at all, there are 1521 Spanish, 815 Filipino, 81 Japanese, 668 Samoans and other students not getting any service whatsoever. In short, we think that out of a total student enrollment of 78,023 in San Francisco, there are at least 10,000 students who either do not speak English at all or are very limited in their facility with that language. Of these only 1501, less 375 monolingual English-speaking students are included in the type of bilingual education program described in Title VII of the Elementary and Secondary Education Act of 1973 (HR69), now pending before this Committee. In addition, Table III reveals the conspicuous absence of both ESL and bilingual programs at the secondary level where non-English-speaking students are most likely to become discouraged and dropout. In our opinion, any "appropriate relief" plan, mandated by the Supreme Court decision, to be submitted by the San Francisco Board of Education, should not be limited to just the Chinese students nor just the elementary level. Instead, such a plan should include all students in need at all levels. Obviously, this will take considerable painstaking study and re-ordering of priorities. In our opinion the school district has an obligation and has the capability to meet the requirements of to U.S. Supreme Court. Offers of financial and technical assistance by the State Department of Education and the U.S. Department of Health, Education and Welfare should be accepted immediately. Similarly, Congress now has a rare opportunity to respond positively and definitively to the clear mandate of the Supreme Court by enacting a new, comprehensive Bilingual Education Act which will, in the words of Senator Edward Kennedy, "begin to fulfill the promise of guaranteeing that language and culture no longer will be barriers to full educational opportunities in America, but will become positive values that the educational system protects and supports."

TABLE III.—NUMBER OF STUDENTS ENROLLED IN BILINGUAL AND ESL CLASSES

	Chinese program[1]			Spanish program[1]			Filipino			Total		
	1970-1	1971-2	1972-3	1970-1	1971-2	1972-3	1970-1	1971-2	1972-3	1970-1	1971-2	1972-3
Elementary:												
Bilingual		133	247	332	519	817	20		60	352	652	1, 124
ESL	406	836	1, 101	150	181		60	149	181	616	1, 166	1, 282
Total	406	969	1, 348	482	700	817	80	149	241	968	1, 818	2, 406
Junior high:												
Bilingual				240	271	272				240	271	272
ESL	681	554	536	45				71	92	726	625	628
Total	681	554	536	285	271	272	0	71	92	966	896	900
Senior high:												
Bilingual						55						55
ESL	129	94	252	178	213		66	87		373	394	252
Total	129	94	252	178	213		66	87	0	373	394	307
Grand total	1, 216	1, 617	[1] 2, 136	945	1, 184	[1] 1, 144	146	307	333	2, 307	3, 108	[1] 3, 613

[1] The number of pupils enrolled includes 375 English speaking pupils included for ethnic balance and 679 ESL pupils whose language is other than the language indicated.

Need for strong commitment, planning, coordination and evaluation

The San Francisco school system responds regularly to community pressure and invariably looks to state and federal government to take care of problems that it considers not an integral part of traditional public education. Nowhere is this attitude better demonstrated than in the way the school system has so far handled non-English-speaking children of the Chinese, Spanish and Filipino backgrounds. On the one hand, the school system treats these children as an added burden to its supposed normal responsibility. When the problem reaches a crisis stage, with angry community groups up in arms, the system responds with a token gesture and appeals to state and federal agencies for a small research and demonstration project to appease the community groups and to show its generosity and responsiveness. Table IV provides a graphic illustration of the school's persistent refusal to assume its responsibility of educating non-English-speaking school children through meaningful bilingual education. In 1967–68, under tremendous pressure from both the Chinese- and Spanish-speaking communities, the School District coughed up $278,000 for the Chinese and $61,000 for the Spanish to develop some crash English classes and then sat back to pray that the problems would go away. That year, Dr. Hill identified 2456 Chinese-speaking and 1890 Spanish-speaking children in the school system (statistics from the district's research office). By 1969–70, the number of non-English-speaking students obviously had increased substantially. Yet, the district had not perfected any measuring device to identify them, much less any meaningful bilingual education program for them. That year, the appropriations for the Chinese and Spanish ESL classes were respectively increased to $280,460 and $274,069 with an additional $51,000 from Title VII. It is important to point out here that the school system at that time had 91,080 students and 4,208 full-time teachers with an annual budget of about $120 million. In the 1972–73 school year, the total budget for all non-English-speaking children was $2.3 million, of which $986,000 came from the U.S. Office of Education, Emergency Employment Act and Model Cities Program and $82,000 from the school district in response to the need of over 9,000 non-English-speaking students. During that same year, the overall school enrollment dropped to 81,954, a decrease of 10,000 from 1969–70, while the school budget went up to about $140 million. The decrease in students was due primarily to the departure of white students, whose number dropped from 31,779 in 1969 to 24,067 in 1972–73. Full-time teachers, however, remained stable at 4,142. (Incidentally, the total enrollment is now 78,023 of which 21,001 or 26.9% are whites.)

Out of this picture emerges some very clear indications of what the Board of Education has been trying to do. First, as each ethnic group exerted pressure on the Board of Education, each was rewarded with a token ESL program and some federal subsidies, if they were available. What we see is a proliferation of many small, unplanned and scattered programs with varying educational philosophies and methodologies and from a wide variety of highly restrictive, temporary, Federal funding sources. Table IV reveals only a partial picture of what actually was happening. There are no less than 15 different programs purporting to solve problems related to non-English speakers and there is a conspicuous absence of coordination and cooperation among the programs and of systematic planning and evaluation to assure both the thoroughness and effectiveness of these highly fragmented programs in reaching all the children in need.

Secondly, communities and programs are forced each year to scramble for funds for the next year and to fight against each other for small crumbs, a meager $1.4 million, rather than the big pie, the $140 million budget. This bureaucratic tactic not only keeps the recipients—teachers and students—busy from year to year, but also effectively maintains constant division and deep suspicion among the various contending language groups in San Francisco.

Thirdly, since funds provided through the Emergency School Aid Act, Emergency Employment Act, ESEA Titles I and VII, Model Cities Program and California State Assembly Bills 116 and 2884 are all temporary and on a year-to-year basis, any superficial observer would have noticed that there is no real commitment on the part of the school district to provide equal and quality education for non-English-speaking students. By providing ESL bandaids here and there, students get no meaningful education. What they need is bilingual education such as provided for under Title VII. Yet the school district has made no commitment in this area.

Lastly, not only is there no asurance of continuing funding, but also the school district must compromise the educational needs of its students for the highly restrictive funds of the Federal government. All these built-in problems point to an urgent need for the school district to make a firm commitment to meet the needs of its non-English-speaking students to make a concerted effort to meet the need of *all* students through careful comprehensive planning, evaluation and coordination. The 10,000 students, or 12.5% of Chinese, Spanish, Filipino, Japanese, Korean and Samoan backgrounds need the "appropriate relief" the Supreme Court required of San Francisco. That relief can not be met with token ESL programs, pulling students out one hour a day for intensive English and expecting them to function adequately on their own in the remaining classes. This, I submit, is not equality of opportunity in education, as the Supreme Court declared in its decision. It is, instead, irresponsible and repressive.

TABLE IV.—BILINGUAL EDUCATION/ESL BUDGET ALLOCATIONS

	1966–67	1967–68	1968–69	1969–70	1970–71	1971–72	1972–73
Chinese:							
Chinese bilingual program (ESL)	0	$88,016	$280,469	$280,460	$343,892	$392,131	$637,575
ESEA title VII, Chinese	0	0	0	51,500	240,028	288,985	326,000
Chinese education center	0	0	0	100,000	110,570	151,728	150,605
Elementary-secondary budget	$190,000	190,000	200,000	230,000	50,000	0	0
AB 116, Chinese bilingual	0	0	0	0	0	0	82,370
Total Chinese	190,000	278,016	480,469	661,969	744,490	832,844	1,196,550
Filipino:							
Filipino bilingual program (ESL) (included in Spanish bilingual program 1966–70)	0	0	0	0	0	21,651	109,308
ESEA title VII, Filipino	0	0	0	0	0	0	0
Filipino education center	0	0	0	0	0	124,000	112,937
Elementary-secondary budget (included in Spanish 1966–70)	0	0	0	0	0	0	0
Total Filipino	0	0	0	0	0	145,651	222,245
Spanish:							
Spanish bilingual program	0	41,133	248,699	274,069	346,031	247,153	615,353
ESEA title VII, Spanish	0	0	0	0	292,901	365,258	196,894
Mission education center	0	0	0	0	0	139,867	143,831
Elementary-secondary budget	0	20,000	80,000	100,000	100,000	60,000	0
Total Spanish	0	61,132	328,699	374,069	738,932	872,278	956,078
Total budget	190,000	339,149	809,168	1,036,038	1,483,422	1,790,772	2,374,873

Note.—Need for Bilingual Teachers and Counselors: By far the most serious barrier for non-English-speaking students toward receiving an equal education is the continuing failure of the school district to provide them with special bilingual instruction in English and in other subject areas. On May 25, 1970, exactly two months after the lawsuit was filed, J. Stanley Pottinger, then the Director of HEW's Office for Civil Rights, issued regulations to eliminate discrimination against native-origin-minority students. Specifically, they required that, "where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students." Similarly, the Supreme Court in Lau v. Nichols found "no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education." Both statements clearly define the need to use bilingual teachers in a bilingual instructional setting so as to make education meaningful to non-English-speaking students. In fact, as early as August 13, 1971, Federal Judge William Wayne for the Eastern District of Texas entered an order pursuant to U.S. v. Texas requesting the Office for Civil Rights to develop and submit to the court by August 19, 1971, a comprehensive educational plan containing sufficient educational safeguards to insure that all students in the newly consolidated San Filipe Del Rio School District would be offered equal educational opportunities. The Court specifically ordered that "safeguards shall include, but shall not necessarily be limited to, bilingual and bicultural programs, faculty recruitment and training, and curriculum design and content." A bilingual/bicultural education plan was submitted on August 22 and on September 2, 1971, an order of the Court incorporating the entire plan submitted by the Office of Civil Rights was issued.

Needless to say, the San Francisco school district is far from complying with the Federal regulations as the Supreme Court rightly found. Its unyielding insistence on providing only one or two hours of ESL classes a day for non-English-speaking students and leaving them to fend for themselves in their remaining classes is indicative of its outright refusal to comply with the call for bilingual teachers and instruction. A quick look at the following figures on full-time teachers in in 1973 reveals the partial reason for the current sad state of affairs:

ETHNIC COMPOSITION OF STUDENTS AND TEACHERS IN 1973

	Students		Teachers	
	Number	Percent	Number	Percent
Total	81,954	100	4,142	100
White	24,067	29.4	3,192	77
Spanish-surname	11,456	14	136	3
Black	25,045	30.5	432	11
Chinese	12,193	14.9	223	5
Japanese	1,408	1.7	52	1
Korean	293	.4	1	
Filipino	5,208	6.4	65	2
American Indian	245	.3	0	
Other nonwhite	2,039	2.5	20	
Unknown			21	1

In spite of a supposed concerted effort to recruit more minority teachers in the last five years, the San Francisco School District continues to ignore the problems and needs of its minority students by failing to recruit and hire more teachers of minority backgrounds. However, the sharp discrepancies between the numbers of white and minority teachers and the continuing discriminatory hiring practice explain only partially the lack of bilingual teachers. The other major reasons are: 1) preference for trained ESL teachers, 2) wide-spread distrust of the competence of bilingual teachers, 3) general unfounded fear of teachers who speak another language, 4) gross misunderstanding of and hostility toward bilingual education, and 5) unwillingness to change the entrenched status quo.

With this mentality, it is not surprising that no school district funds have been committed to the few small existing bilingual education programs. It is also not surprising that the administrative hierarchy set up to run all the special language programs is totally in the hands of non-bilingual persons who have neither training nor experience in bilingual education. Because the programs are all so small, diverse and scattered, the so-called bilingual education administrative staff is so caught up in day-to-day house-cleaning problems and crises to the point that it has neither the time, resources nor technical expertise at its disposal to carry out the much needed program planning, development and evaluation.

Unless there is a drastic change in attitude and hiring policy, there is very little hope of having a viable bilingual education program. There are many highly trained and experienced bilingual teachers in the various communities in San Francisco. They have to be hired first before their talents can be used, just as the native intelligence and skills of our non-English-speaking students have to be recognized before they can be effectively mobilized toward achieving educational goals and objectives. Some of these bilingual teachers do need some additional training. This could be accomplished through a joint effort with colleges and universities in the San Francisco Bay Area. Similarly, existing full-time teachers who are bilingual could be trained by the same institutions for bilingual education. With the leadership and financial support of the Federal and State governments, I have no doubt that we could have an adequate supply of bilingual teachers. In this regard, I would like to commend the House Education and Labor Committee for its prompt recognition of the far-reaching ramifications of the Supreme Court decision and "the urgent need to hold oversight hearings to review existing authorities and current appropriation levels, for bilingual education as well as the interrelationship between the various Federal programs." (93rd Congress, 2nd Session. *House Report* 93-805, February 21, 1974).

San Francisco citizens recommendations

It should be obvious by now that we in San Francisco need a major overhaul in our attitude and approaches toward non-English-speaking students. Unless we recognize the multi-cultural and multi-lingual reality of our students and stop treating them like foreigners or diseases, we will never come up with a comprehensive bilingual education program that will meet their educational needs and we will continue to be in violation of the law. This time, however, we could be cited for contempt of the Supreme Court.

To bring this discussion on the impact of the Supreme Court decision on the San Francisco school system to a conclusion, I would like to list the recommendations proposed by many civic organizations and leaders in San Francisco in response to the decision. These recommendations are being supported by representatives of every ethnic group and fully endorsed by the Coalition for Effective Schools, a city-wide multi-racial community organization that has provided leadership and support of quality education for all San Franciscans. Their recommendations are:

1. that a *Bilingual Education Task Force* of citizens, perhaps 21, be immediately appointed to develop a city-wide master plan for bilingual education for the purpose of (a) complying with the order of the U.S. Supreme Court, (b) submitting it to the U.S. Federal District Court for approval and (c) meeting the educational needs of non-English-speaking students otherwise not covered by the order.

2. that the Task Force be charged with the following responsibilities:

(a) assessing the bilingual education needs city-wide through the development of effective measuring criteria

(b) identifying existing district resources for bilingual education, including personnel, curriculum, facilities and programs

(c) developing a bilingual education model, utilizing both state and Federal guidelines, with a built-in evaluation component

(d) developing a detailed plan to re-train teachers for bilingual education and if necessary, another plan to recruit needed bilingual teachers

(e) developing a plan for bilingual education curriculum

(f) developing a detailed schedule of implementation and appropriate necessary budget, for the district to carry out the master plan in an orderly fashion.

3. that the Task Force be given adequate funding to discharge the above responsibilities, including funds to hire full-time, competent planners to staff the Task Force. (The urgency of the matter requires that emergency funds be promptly appropriated for the Task Force to prepare the plan).

4. that the existing district staff be asked to give full cooperation to the Task Force and offers of technical assistance from the U.S. Office of Education and Office of Civil Rights be accepted.

5. that the Board of Education commit itself to give high priority to the implementation of the plan to be submitted by the Task Force.

In my opinion, these recommendations are both reasonable and necessary. I hope the Board of Education will adopt them without delay.

III. STATE SIGNIFICANCE OF THE DECISION: CALIFORNIA

The Bilingual Education Act, Title VII of the Elementary and Secondary Education Act, enacted in 1967, has brought about a significant national awareness of the need for bilingual education within a short period of time, as the report of this Committe rightly stated. Ten states have passed legislation since 1967 permitting languages other than English to be used as media for instruction in the classroom. I am pleased to say that California is one of the four states in the Union that have passed legislation authorizing funds for the development of bilingual education (AB2284). In fact, the Chinese American community in San Francisco is the site of one of the two bilingual education demonstration projects under AB116. The other is a Spanish bilingual program in San Diego.

In many ways, we are most fortunate to have strong support for bilingual education in California in the Bilingual Education Act of 1972 (Education Code, Sec. 5761–5764.5). The California Legislature declared that "inability to speak, read and comprehend English presents a formidable obstacle to classroom learning and participation which can be removed *only* by instruction and training in the pupils' dominant language . . . The Legislature further recognizes that high quality bilingual programs in the public schools would allow the acquisition by students of educational concepts and skills needed to improve the development of human resources in this state . . . The primary goals of such (bilingual) programs shall be to develop competence in two languages for all participating pupils, to provide positive reinforcement of the self-image of participating children, and to develop intergroup and intercultural awareness among pupils, parents and the staff in participating school districts." The Act also outlines in great detail what constitutes a bilingual education, responsibilities of school districts, required use of bilingual teachers, parents participation in an advisory capacity, planning and evaluation procedures, etc. In addition, the Commission for Teacher Preparation and Licensing, under earlier legislation, was mandated by the State Legislature to set up standards for the certification of teaching personnel for bilingual classes. On May 9, 1973, the Commission issued the "Bilingual/Cross-Cultural Specialist Guidelines" to assist educational institutions in developing approved programs for preparation of the Bilingual/Cross-Cultural Specialist.

As we can see, California was well prepared for the Supreme Court decision. In fact, State Superintendent of Public Instruction, Wilson Riles, called the decision "a wise decision" and said that he was preparing a $10 to $15 million plan for bilingual education this year. It is our hope that in light of this landmark decision, Dr. Riles will soon develop and issue the long delayed rules and regulations governing the Bilingual Education Act of 1972, as required by the State Legislature. Without these, it would be most difficult to bring school districts like San Francisco into compliance with the law.

There is no question in our mind that California must provide more funds, resources and leadership for bilingual education programs. However, I must agree with this Committee's February 21 report that "Federal participation in this area will have to continue for some years to come." As the Committee correctly stated, "The recent Supreme Court decision, *Lau v. Nichols*, which was handed down on January 21, 1974 underscores the need for a continuing Federal commitment to bilingual education." It is to this area of Federal involvement and responsibility that we must now turn.

IV. NATIONAL SIGNIFICANCE OF THE DECISION

The landmark *Lau v. Nichols* decision undoubtedly wil go down in history as a decision that is as important and as far reaching as the *Brown v. Board of History*. For the first time in the U.S., the Supreme Court ruled that the failure of any school system to provide English language instruction to its non-English-speaking students constitutes a denial of "a meaningful opportunity to participate in the public educational program" and thus violates Section 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," and the implementing regulations of the Department of H.E.W. This means simply that the five million school children who now attend school with English language deficiencies in the U.S. are legally entitled to a meaningful opportunity to participate in public education. The Supreme Court further declared that "there is no equality of treatment by providing students with the same facilities, text books, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education." In another paragraph, the court stated, "Basic English skills are at the every core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful." Even though the Supreme Court deliberately did not urge any specific remedy, it is unmistakably clear from these statements that "meaningful education" and "effective participation in educational program" for non-English-speaking children could be achieved *only* through comprehensible bilingual instruction given by bilingual teachers. In short, *The Supreme Court decision implicitly mandates bilingual education.*

Similarly, the Office for Civil Rights, Department of Health, Education and Welfare, reached the same conclusion on the need for bilingual education in its effort to enforce the regulations issued on May 25, 1970, mentioned earlier. In cooperation with educational and legal experts and community leaders, the OCR developed a number of bilingual/bicultural program models for implementation by school districts with more than 5 percent national origin-minority group children for the purpose of achieving success in equalizing educational opportunity for non-English-speaking children. According to J. Stanley Pottinger, Director of the OCR, the regulations "reflected the operational philosophy that school districts should create a culturally relevant educational approach to assure equal access of all children to its full benefits. The burden, according to this philosophy, should be on the school to adapt its educational approach so that the culture, language, and learning style of all children in the school (not just those of Anglo, middle-class background) are accepted and valued. Children should not be penalized for cultural and linguistic differences, nor should they bear a burden to conform to a school-sanctioned culture by abandoning their own."

In short, the Supreme Court, Section 601 of the Civil Rights Act of 1964 and Federal Rules and Regulations agree that bilingual educational is the prerequisite for equal access to educational opportunity for non-English-speaking children. The greatest difficulty, however, is to enforce these legal requirements at the local level.

The Office for Civil Rights in the Department of Health, Education and Welfare undoubtedly occupies the foremost important position in the enforcement of Title VI of the Civil Rights Act of 1964 which provides that no person shall, on account of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in federally assorted programs and activities. It was largely due to the failure of many school districts across the nation to provide meaningful educational services, i.e., bilingual education for non-English-speaking students, that the Office felt compelled to issue the set of regulations on May 25, 1970. In the following year, an Intra-Departmental Advisory Committee on Bicultural Education was established to develop strategies for the rendering of program assistance to school districts found to be in non-compliance. Unfortunately, like many good laws and regulations, the strict enforcement of this set of regulations has been highly selective and the implementation of comprehensive bilingual education programs in non-complying school districts has been slow and frustrating. This is why for the last few years school districts like San Francisco were able to get away with doing so little and using only token ESL classes as a substitute for the complete education of non-English-speaking students. I should add too that in spite of the Supreme Court decision and Assistant Attorney General J. Stanley Pottinger's remark about forthcoming technical assistance from the OCR and Office of Education, we have to date observed no steps taken by these agencies to share their experiences and expertise with San Francisco. We are most angry that they have exercised no leadership and offered no assistance to our efforts to develop a plan, mandated by the Supreme Court. To make the situation worst many school districts in the country are waiting to see what kind of plan San Francisco is going to submit to the Federal Court for approval. If both the OCR and OF have any interest at all in seeing a good master plan and model developed in this process, they should act soon. I cannot think of a greater disservice to the cause of education across the country they could do than to evade their responsibility in this golden opportunity to do something meaningful for the country.

Enforcement alone is not enough. We need alternatives. This is where Title VII of the ESEA comes in. Since 1967, this program has raised the hope of millions of non-English-speaking school children and it has proven to be the first step in assuring them of an equal educational opportunity. Unfortunately, in 1973 Title VII was able to serve through its 217 programs only 147,000 children out of the estimated 5 million non-English-speaking school children in need in the U.S. We are obviously not doing enough. Now, with the mandate of the Supreme Court, we should no longer think in terms of a few million dollars. As I mentioned earlier, Title VII has generated considerable influence at the State level. But the leadership must still come from Congress. I am most impressed by the bilingual education bills introduced by Senators Kennedy and Cranston. I do believe that we have to substantially increase this authorization for the next few years, and incorporate strong components such as bilingual teachers training, vocational education, and research and evaluation to meet the requirements of both the Supreme Court and the law. The only thing I would add to these bills is a requirement that districts seeking federal funds must have a district-wide master plan, detailing the areas outlined in our recommendations to the San Francisco Unified School District.

In addition, the resources of Title I of the ESEA and the National Institute of Education must be made available for bilingual education.

In conclusion, I urge you to rewrite the bill now pending before the House to include solutions to problems mentioned in this testimony. I will be glad to work with anyone here to come up with a comprehensive bill in bilingual education. We must respond positively to the *Lau v. Nichols* decision. Congress now has the best chance to act in a timely and constructive manner.

Mr. Meeds. You state you were here when the witnesses from HEW and from the Department of Justice testified, and you heard some of the questions asked by me and others with regard to the present inadequacy of financing. If you were to be told that the administration's request is only $35 million for fiscal 1975 for bilingual education, would you describe that as inadequate to the task that is ahead?

Mr. Wang. Oh, that is just a peanut. We used to spend more than $35 million in one day bombing Viet Nam. You know, I think it is really disgraceful that we have had this kind of thing happen. However, in all fairness to HEW and the Office of Education, I do think that the local school districts often try to evade responsibilities, and I think Congressman Bell was referring to that. If you go through my testimony, you will see that I try to single out what kind of programs is funded out of the Federal Government and what kind of programs is funded locally, and you will see that there are two separate kinds of programs going on in San Francisco to meet the partial needs of the non-English-speaking children.

The bilingual education-type program is completely funded by the Federal Government, while the district puts out a very small amount completely oriented toward the one-a-day ESL class. There is no commitment from the San Francisco School District to pick up these bilingual education programs in case the funds are terminated.

And so I think it is a very discouraging picture that we are seeing in San Francisco.

Mr. Meeds. It should also be fairly apparent to you, sir, what at least one of the gentlemen who responded to my questions about funding was indicating when he said that we understand the problems there, and the need for funding is there, but who is that responsibility to devolve upon? He was indicating to me very clearly that he was going to say that ultimately it was the primary responsibility of the local school district, which it may well be. But if the district of San Francisco, which is a fairly progressive city, is any indication, that doesn't present us much solace on this committee, does it?

You point out, I think, that prior to the filing of your case the total budget was increased $280,469 for bilingual education in the whole city of San Francisco?

Mr. Wang. Yes. And now in this last fiscal year we are spending $154 million, of which the school district is only putting out $1.4 million for some 10,000 kids.

Mr. Meeds. You are spending $154 million, but not for bilingual education, are you?

Mr. Wang. No, $1.4 million for ESL.

Mr. Meeds. That's right.

Mr. Wang. And then close to a million from title VII, ESAA bilingual set-aside, and a small grant from the State legislature.

Mr. Meeds. Let me back off. What is the present budget of the San Francisco School District for bilingual education?

Mr. Wang. About a million dollars, coming almost entirely of Federal sources. Now, I make a distinction of bilingual and ESL.

Mr. Meeds. Yes, let's lump the two for purposes of how much is being spent altogether.

Mr. Wang. OK, around $3 million.

Mr. Meeds. $3 million for bilingual and second language courses, is that right?

Mr. Wang. Yes.

Mr. Meeds. OK. Now, how much of this is Federal Government-supplied, $1 million?

Mr. Wang. Around $1 million. I am talking about current fiscal year, and my testimony is based on the last fiscal year.

Mr. Meeds. And San Francisco is supplying $2 million?

Mr. Wang. Yes.

Mr. Meeds. So about two-thirds. How many children are they reaching now in either one or both of these programs?

Mr. WANG. OK, they are reaching around one-third of those 10,000 they mention. Now, that 10,000 figure is highly questionable, because it is based entirely on the subjective judgment of individual classroom teachers, no tests administered; just each teacher required to submit his or her opinion of how many children need help in English.

Mr. MEEDS. Very important, as you point out in your testimony. This will give some indication of how we have dealt with this problem. If I am not incorrect, you point out that in San Francisco they hadn't even developed any kind of testing to determine language deficiencies, is that correct?

Mr. WANG. None.

Mr. MEEDS. Is that correct?

Mr. WANG. That is true.

Mr. MEEDS. I am not aware of any in any other district, although there must be.

Mr. WANG. There are some standard tests for Spanish language that are being used, but to my knowledge no other tests for other languages have been developed.

Mr. MEEDS. Even if they just conducted the same tests in both English and Spanish, or English and Chinese, there ought to be some nature of language deficiencies if they gave individual students two tests, shouldn't there? I am not an educator, but the very simple process comes to my mind.

Mr. WANG. Yes, sure. All the students, of course, are given the regular reading test. But for a student without English background it is just unfair to subject them to that kind of test.

Mr. MEEDS. And the only way to really determine what that potential of that student is would be to give that student the same test in some other language.

Mr. WANG. Exactly; and we don't have those.

Mr. MEEDS. Which is evidently not being done.

Mr. WANG. None at all.

Mr. MEEDS. Thank you.

The gentleman from California.

Mr. BELL. Mr. Wang, I would like to welcome you. You have shown us that a significant problem is the attitude of the local school board which makes them hesitant to recruit truly bilingual teachers. The NEA estimates that the Nation is short of what it needs in the way of bilingual teachers by 84,000 teachers for just Spanish alone. Would you describe what you see as the Federal role in helping to overcome this problem?

Incidentally, how short is your community of Chinese teachers? Do you know?

Mr. WANG. You know, I am not too certain about that 84,000 figure, because I was going to answer that question earlier when the same question was raised. Because in connection with the *Lau* case we did make a study, a survey in our community, on the availability of Chinese bilingual teachers, and there is an affidavit that was included in it, you know, in the Court proceedings.

Competent experts estimated that there would be at least 50 Chinese bilingual teachers available in San Francisco in 1970 at the time when this suit was filed. And then we also identified close to 200 Chinese-speaking teachers who used to be teachers. You know, these are new immigrants. What they needed really was refresher courses, and mastery of the English language. I think these 200-odd people could very well be put into bilingual situations without any difficulty.

Mr. BELL. So at the Federal level, you mean to encourage them?

Mr. WANG. Yes, training. Unfortunately that was one of the weaknesses in the last 6 years, and I am glad to see that the Kennedy-Cranston bill will take care of this problem. But I also know that there are a lot of, you know, Spanish-speaking teachers and they are new immigrants to this country, and these people, of course, most of them are relegated to teacher's aide positions when some of them have 10, 15 or 20 years of experience, but because they do not have credentials they could not teach. And we are trying, actually we have succeeded in that in California, to amend the State Code to allow these people to become temporary teachers while they go to night school and get necessary credentials in 2 years. So that problem is being taken care of.

Mr. BELL. You know some are also being taken care of by our bill, H.R. 69, because it has been amended.

Mr. WANG. Right. But we do need some money, though, for training bilingual teachers?

Mr. BELL. Yes.

Mr. WANG. Especially some responsibility in training bilingual teachers.

Mr. BELL. Would you describe the reasons which make you support the Senate version of bilingual professions for bilingual education? You indicated that you support the Senate bill.

Mr. WANG. Yes, partly because it represented a substantial increase in the appropriation, and also I think it is a very strong reform of bilingual education, certainly a lot stronger than title VII. Furthermore, it extends bilingual education to cover preschool children, which I think is very critical, especially for non-English-speakers. I also think a person could acquire a skill through bilingual education. A head of household could acquire a skill very fast if you instruct him in a language he knows. One he gets on a job, you can teach him in English on the job, and I think that will work.

We are doing something along this line with Pacific Telephone Company in California, and I think the arrangement is working out very well.

Mr. BELL. So you note that the Senate bill goes a little further in this than we do?

Mr. WANG. Yes. I think at least stronger than the one that was passed by the House committee, which is a continuation of the status quo with some modifications. But I think really in view of the Supreme Court decision, I hope that Congress will interpret it as a mandate for bilingual education. If so we have to put a lot of money and a lot of energy in it.

Mr. BELL. Well, I agree with you. I certainly think it is very important.

Mr. MEEDS. The gentlewoman from New York.

Mr. CHISHOLM. Thank you very much.

Mr. Wang. I want to congratulate you on having the opportunity to speak with you and to ask you a few questions. It is only through persons such as yourself who have the courage and stamina to dramatically focus on some of the problems that concern the groups that are not being taken care of in equitable fashion in the educational world of our society.

I would like to say this to you: I note one particular thing that you mention that struck me and that is that it was left to the classroom personnel to ascertain and make judgments as to whether or not children need to be in bilingual classes. Would you say that this has been a part of the difficulty with the American educational system, insofar as we have been using all kinds of tests and examinations that are culturally and class-biased, in order to make determinations on the future educational lives of children?

Mr. WANG. There is no question about that. I am sure you are familiar, for instance, with the so-called Edward Strong tests and you know that test, originally designed in the early 1940's, was directed toward the Japanese-Americans, and the purpose of which is to find out what kind of educational preferences the Japanese-American had, and then when they found out that there was a correlation between medical professions, the desire to go into medical professions and to go into agricultural work, it became a kind of a public policy to encourage Japanese not to go into medical services. They wanted the Japanese to stay as agricultural laborers.

You know, those tests are extremely biased and they usually have a hidden agenda behind them.

Mrs. CHISHOLM. I would like to say also that we had something like this happen recently in New York City. Not in terms of the Chinese population nor in terms of Spanish population, but in the terms of number of blacks who were dropouts from high schools, they were not able to fit into the high school setting as it has been traditionally run. And when these youngsters went into the Urban League academies, it was amazing to find that five of these youngsters, who were discipline problems in the traditional classroom setting, whom the teachers couldn't handle—five of them had IQ's of 160 or better, and three of them are now going to become surgeons.

The reason I am so concerned about this is because traditionally in our educational system large numbers of persons have been shunted into mental retardation classes and have been labeled discipline problems. I just want to say in conclusion don't give up the fight, you have got to continue.

It is a remarkable thing to have you appear here today, because as someone said earlier on the committee, we are going through an educational revolution in this country. It is very interesting that for a long time in our country the first immigrants coming to this country, namely, the Irish people, the Italian people, the Jewish people, the Polish people, the German people, this first wave had to get all kinds of help in the job world, in the job market. Now today third-, fourth-, fifth-, sixth- and seventh-generation people coming from these groups have moved out and have become more or less assimilated.

We are the second phase of that kind of American revolution, because today the suit is being brought by the Portuguese-Americans, the Mexican-Americans, Chinese and even the Haitians. They are now doing exactly the same thing that was done about 50 or a hundred years ago by this first group. So don't give up your fight. We are going through an educational revolution and I just thank you from the bottom of my heart for focusing on the inequities of our education system.

Mr. Meeds. The gentleman from Puerto Rico.

Mr. Benitez. We have to go now. We will be debating H.R. 69, the education bill, today. But you indicated that you would have liked to raise some questions with the members of the educational group that were testifying earlier here. Could you submit to the committee some of those questions so that we might be able to ask them ourselves when they come here?

Mr. Wang. Maybe I can just do it quickly. You know, I have sort of jotted down quickly three or four questions. Like, for instance, I know that most of you up there felt that the *Lau* decision ought to be read as a mandate for bilingual education, but nobody down here was reading it that way. I think that was very clear. OK, that is the first question.

The second question, is OCR willing to accept 1-hour-a-day ESL instructions in San Francisco as meeting the requirements of civil rights legislation? Are they willing to accept that? You know, if so, then we will be going back to where we were in 1970.

Third, what is OCR going to do in San Francisco? Now that the Supreme Court says you must come up with a plan, how come you have not heard a word from them yet? You know, they were quoted in the newspapers as saying, they wanted to come in and be able to help, but we haven't heard anything.

I guess, you know, I think really those are the most critical questions. You know, I think I would like to get an opinion from OCR and Justice Department whetner ESL is actually fostering segregation.

Mr. Meeds. Mr. Wang, I have just one final question. If San Francisco is spending approximately $3 million for a student population of need of 10,000, as I recall, and the Federal Government is spending some $53 million for programs serving 110,000 people, it seems to me that if the figures of HEW itself and OCR are correct, and there are approximately 5 million young people in the United States needing special language training, English language training, that the costs of that even at the present rates are going to be somewhere in the area of $1.5 billion annually.

And if we repeated the experience of San Francisco, allowed heads of local education to fund two-thirds and Federal Government fund one-third, that would still mean $5 million from the Federal Government. Is this the area we are talking about to really come to grips with this problem you have foreseen?

Mr. Wang. I don't think so.

Mr. MEEDS. You don't even think that is enough?

Mr. WANG. No, no, I think that we have to reexamine the whole question of what kind of educational services are we going to give to our school children in light of that decision. Because let's assume that there are 10,000 non-English-speaking children in San Francisco's school system. Now what are they doing every day? They must be occupying classrooms. There must be teachers teaching them. Now what is going on in these classes for these 10,000 kids? You know there is something obviously wrong in there and yet a school district is putting it up and sending our kids through the system and graduating them as if they really are, you know, getting an education, a third-rate education. They do go to school and graduate. But in reality they do not, and so there is something wrong there and we have to be—I think the gentleman from New York described it as a revolution—bold. We are forced to think in these terms now.

Mr. BENITEZ. Of Puerto Rico.

Mr. WANG. Right, I am sorry.

Mr. MEEDS. Well, do you have any guesstimate of how much money it is going to take on an annual basis to really meet the problem that you set forth?

Mr. WANG. I don't even know where to begin to calculate it, but I do know that the teachers who are going to teach those 10,000 obviously are not teaching those 10,000.

Mr. MEEDS. So you feel the program in San Francisco is not adequate?

Mr. WANG. Definitely not.

Mr. BENITEZ. One thing, this is the reason you insisted a good deal of research had to be done, if really I quote you, the position is that in a certain sense the educational system in the United States is not ready and is not in a capability adequate to face the task that this recognition of the *Lau* case involves.

Mr. WANG. I wholeheartedly agree with you.

Mr. MEEDS. Thank you very much.

Mr. WANG. Thank you very much, Mr. Chairman.

Mr. MEEDS. That concludes the hearings for this morning.

[Whereupon, at 11:55 a.m. the subcommittee recessed, to reconvene at 9:30 a.m. of the following day, Thursday, March 14, 1974.]

BILINGUAL EDUCATION ACT

THURSDAY, MARCH 14, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
Washington, D.C.

The subcommittee met at 9:53 a.m., pursuant to recess, in room 21[illegible], Rayburn House Office Building, Representative Meeds presiding.

Present: Representatives Meeds, Chisholm, Lehman, Benitez, Badillo, Quie, Bell, and Biaggi.

Staff members present: Jack Jennings, counsel; Eydie Gaskins, special assistant; Toni Painter, secretary; John Lee, minority legislative assistant.

Mr. Meeds. The General Subcommittee on Education will be in session for taking of further testimony on H.R. 2490 and H.R. 11464, bilingual education legislation.

We are delighted this morning to have as our first witness one of our colleagues from the State of Maine, Hon. William S. Cohen.

Please come forward. I see you have a prepared statement.

STATEMENT OF HON. WILLIAM S. COHEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE

Mr. Cohen. I ask that my statement be entered in the record.

Mr. Meeds. Without objection, it will be so entered.

Mr. Cohen. Over 15 percent of the people in Maine describe themselves as Franco-Americans. If a child cannot understand the language in which he is taught, his facilities and textbooks will not mean very much.

According to the 1970 U.S. Census, Franco-Americans constitute the sixth largest minority group in America. Furthermore available evidence would also indicate that this minority is one of the most disadvantaged of the larger ethnic populations in New England and the United States. The Franco-Americans were ranked second from the last ahead of Spanish-Americans in terms of median income and education for the United States as a whole. Also, the dropout rate is dangerously high. It is 12 percent higher than the national average. A study done by Bernard C. Rosen of six Northeastern ethnic groups—Franco-Americans, Greeks, Jews, Negroes, Southern Italians, and white Protestants—found the Franco-Americans to be the least achievement oriented of the six groups.

Historically, Maine has become the home of a large French speaking population who have settled in three major areas in the predominantly English speaking majority of the state as a whole. While

Franco-Americans constitute over 15 percent of the population in these areas, the circumstances of their lives, however, have much in common with other minority groups in the Nation.

Material from the State department of education and cultural services shows that in one area surveyed where the concentration of pupils who speak French is 96 percent, only 12 percent ever enter college. In the state as a whole, 51 percent of the students pursue higher education. The results from a three-year study of the students showed the dropout rate among Franco-Americans to be 12 percent higher than the national average.

The 1970 U.S. Census reveals that in one school district in Maine where Franco-Americans comprise 94 percent of the population, 65 percent of the adults have not completed the 12th grade, and 50 percent have not completed grade 8, and the average grade achieved was the 9th.

It is important to their cultural identity to retain the speaking of the French language. But they do require special help in English, which is the dominant language. It has been argued that the purpose is somehow to replace the English language. That clearly is not the case. The ultimate goal is to bring about a greater fluency in English and that can only be achieved and accomplished by early assistance. I think that is the intent of the Supreme Court decision and one which we should keep in mind.

With that, I will conclude my remarks. If there are any questions, I will be happy to try to answer them.

[The prepared statement of Mr. Cohen follows:]

TESTIMONY BY HON. WILLIAM S. COHEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE

Mr. Chairman, I am pleased to have the opportunity to appear before you today to testify on behalf of the bilingual education situation in my own State of Maine. I wish to congratulate the General Subcommittee on Education of the House Education and Labor Committee on its sincere efforts to study and resolve the problems associated with Title VII of the Elementary and Secondary Education Act.

All three branches of the Government have officially recognized that the Bilingual Education Act as it is now interpreted falls short of assuring the right of a non-English speaking child to a meaningful education. In response to this, the Office of Education has just released new regulations on the implementation of the Bilingual Education Act and in the Congress, the Senate Labor and Public Welfare Committee, as well as your own Committee, is considering the future of bilingual education. Of most significance, of course, is the recent U.S. Supreme Court ruling in the case of *Lau v. Nichols* which held that non-English speaking children have the constitutional right to special help enabling them to gain an equal educational opportunity.

The ability of our present school system to meet the challenge of that decision brings us together today. No longer can we assume because a child is provided with the same facilities, textbooks, teachers and curriculum as other children, that he is receiving an equal education. If that child cannot understand the language in which the material is taught, he is effectively excluded from the educational process. This fact has far-reaching implications for school systems serving non-English speaking children. A school which now fails to serve the needs of these children would be liable to charges of fundamental discrimination.

I can best illustrate the effects of such discrimination by describing the situation with which I am most familiar—the problems Franco-Americans have encountered as a non-English speaking population. Many of my colleagues may not be acquainted with the Franco-American situation in America because certain historical and economic factors have tended to isolate these people in Louisiana and in the New England states. However, according to the 1970 U.S. Census, Franco-Americans constitute the sixth largest minority in America. Furthermore, available evidence would also indicate that this minority is one of the most disadvantaged of the larger ethnic populations in New England and the United States. Among the nine largest of the self-identified ethnic origin groups examined in the Current Population Survey of the U.S. Census completed in March 1972, the Franco-Americans were ranked second from the last ahead of Spanish-Americans, in terms of median income and education for the United States as a whole. According to a study done at the University of Maine at Portland, the second generation Franco-Americans in New England ranked last among the nine groups both in terms of education and income.

These economic and educational statistics are symptoms of a minority group whose upward mobility in society has been substantially blocked. Rationally, these symptoms would be easy to correct but the basic cause for social immobility has roots much deeper in the individual's psychological and cultural orientation towards such upward achievement in society. By this I mean his psychological need to excel, his desire to enter the competitive race for social advancement, and his initial possession of or willingness to adopt the high valuation placed in traditional American society upon personal achievement and success. A study done by Bernard C. Rosen of six northeastern ethnic groups (Franco-Americans, Greeks, Jews, Negroes, Southern Italians, and White Protestants) found the Franco-Americans to be the least achievement oriented of the six groups.

Historically, Maine has become the home of a large French speaking population who have settled in three major areas in the shadow of the predominately English speaking majority of the State as a whole. While Franco-Americans constitute over 15% of the population, in these areas they maintain a significant majority. The circumstances of their lives, however, have much in common with other minority groups in the nation.

Until 1969, Maine state law prohibited the teaching of Franco-American children in their native language even though in many cases the children entering school had never spoken English. Although family and religious traditions and most of the commerce of the Franco-American communities were carried out in French, these children were taught by word and deed that their Acadian-Canadian heritage and language were inferior. Thus, unable to understand English when entering school, discouraged in using the language in which they were fluent, they often failed to become fully accomplished in either.

While I believe that there is an ultimate need to learn English, this "sink or swim" attitude is insenitive to the needs of the Franco-American child. Ethnic students must be able to relate their mother tongue to their personal identity, because language and the culture it carries are at the very core of a child's self-concept. Educators now realize that exclusion from one's own cultural heritage and history, from one's language and community, can be so destructive to the self-confidence of a student, that he gradually loses his ability to learn.

In my State educational surveys, it is shown that the Franco-American child is no different. It is estimated that 21% of all elementary and secondary pupils in Maine are familiar with French. Yet material, from the State Department of Education and cultural services, shows that in one area surveyed where the concentration of pupils who speak French is 96%, only 2% ever enter college. In the State as a whole, however, 51% of the students pursue higher education. Results from a 3-year study of these children show the dropout rate among Franco-Americans is 12% higher than the national average. The 1970 U.S. Census reveals that in one school district in Maine where Franco-Americans comprise 94% of the population, 65% of the adults have not completed the 12th grade, 50% have not completed grade eight, and the average grade achieved was ninth.

A study made at Van Buren, Maine showed that first grade pupils were achieving less than the national average, and the difference between these pupils and the national averages in all areas of education grew progressively larger with each succeeding grade. In reading achievement alone, pupils who speak only French at home on the average are 3 years below the national norms. No wonder interest in formal education wanes.

One of the most striking findings I have seen involves the results of IQ tests administered in one of Maine's Franco-American communities. The tests showed a marked decrease in IQ scores from the fourth to the twelfth grades. It is common knowledge that IQ tests are designed to measure one's ability to cope with the dominant society, and the lack of a bilingual education program in this instance does not mean that the children's mental capabilities have been diminished. However, these results do indicate that we have failed to bring these Franco-American children into our society.

With the passage of the Bilingual Education Act in 1968, Maine was one *of 11 states to prepare for the opportunity* if offered. Legislation was enacted to permit programs of bilingual education, *and the* law that all instruction had to be in English was repealed. Since that time, additional State legislation has expanded such education for any child to a five-year participation period. The original legislation limited the bilingual programs to grades Kindergarten through grade 2.

Throughout the State there is a growing pride among Franco-Americans. Cultural centers are being developed in Lewiston and Biddeford under the aegis of St. Francis College. A Franco-American center at the University of Maine at Orono is seeking to help Franco-American students in all ways. Other initiatives in the State include proposals for a child's educational television program in French and a teacher-training seminar for instructors of these children.

In my opinion, these are great strides forward. However, we are frustrated in our continuing inability to fully meet the bilingual needs of the Franco-American. Present difficuties in obtaining financial assistance severely limit the potential impact of our efforts. In view of this, I would hope that the Committee will give special heed to the funding level, the lack of adequate teacher preparation, and the right of all non-English speaking children to a program of bilingual education. As an educator in Maine has said of that State's situation: "I am convinced that equality in education for all of the children of Maine cannot be achieved by treating all as if they were equal. Children are not equal. They are not the same. Different children have different educational needs. The bilingual child's needs are unique. These needs have to be identified and educational programs must be designed around them."

Mr. MEEDS. I am interested to know if there are any bilingual programs in Maine?

Mr. COHEN. Yes. Prior to 1969. Maine phoribited the teaching of any language except English. But since the passing of the act in 1968, they enacted bilingual education legislation and repealed the statutes which expressly excluded the teaching of any other language but English.

Since that time, they passed additional legislation which has expanded such education for any child to a 5-year participation period. The original legislation limited the bilingual programs to grades kindergarten through two.

There has been a revival of a growing pride, I might add, among Franco-Americans. Cultural centers are being developed in Lewiston and Biddeford. There is a Franco-American cultural center at Orono and there have been others.

Unfortunately, there was one bilingual program which was quite successful in Lewiston that had to be closed because of lack of funds. So the critical problem seems to be a lack of adequate funding.

Mr. MEEDS. HEW was before us recently and they could not tell us what bilingual programs were being carried on in the country other than in Spanish speaking and in some Indian areas, as well as some Chinese or oriental communities in the coastal states.

So we know there are at least French-speaking bilingual programs in Maine. Do you know whether those are supported entirely by the State or mostly by the State?

Mr. COHEN. These projects have mostly been funded by the State. Funds from the Federal Government account for 38.7 percent of the total cost of the French bilingual programs, with the local communities paying the balance.

Mr. MEEDS. Where do most of those people come from? Indirectly from France or do you know? From Canada?

Mr. COHEN. Principally from Canada. There are three basic areas in the State, Biddeford in the southern part of Maine, Lewiston, Auburn, toward the western part of the State, on up to the Canadian border, the so-celled St. John Valley. These are the three principal concentrations.

Mr. MEEDS. I imagine it is a shock to them to come into this society where the teaching of their language was prohibited prior to 1969, coming from a society in Quebec Province, which is a bilingual society.

Mr. COHEN. It certainly does have a negative impact on their self esteem. This in turn affects their lack of achievement. One study pointed out they have one of the lowest goal achievement records because of the language barrier. This comes about as a result of knowing one language, being taught another and failing to comprehend that second language well.

Mr. MEEDS. Would you be surprised to learn that the administration suggested a cut in bilingual funds?

Mr. COHEN. I would not be surprised.

Mr. MEEDS. From $55 million to $35 million.

Mr. COHEN. It would not surprise me.

Mr. MEEDS. Do you think that is very realistic?

Mr. COHEN. No, I think the upshot of the Lau decision is going to require more financing for programs such as this.

Mr. MEEDS. Obviously, you are aware of this. I do not know what has happened in this country but somehow it is almost un-American to teach languages other than English. I am sure you would agree with me, that the real purpose in this kind of program is to better people's ability to speak English and to understand that learning the language is a learning tool to better communicate and function in the society.

As you so properly point out, this is not to discourage them from their own mother tongue or to cast some kind of aspersions on them as non-English-speaking. Somehow we have a feeling it is almost un-American in this country to teach other than English.

Mr. COHEN. I happen to be somewhat schooled in Latin and Hebrew, but I consider myself American.

Mr. MEEDS. Thank you.

Congressman Badillo?

Mr. BADILLO. When we provided for bilingual education, there was no specification as to what the language would be. So, under the law, it would seem to me, if an application is made for education in French, it could not be rejected.

Mr. COHEN. We are receiving Federal funds but they are limited.

Mr. BADILLO. Do you have any idea of what percentage of the French-speaking children are now receiving bilingual education?

Mr. COHEN. Very small. One of the programs in Lewiston had to be discontinued because of lack of funds.

Mr. BADILLO. Would you say less than 5 percent?

Mr. COHEN. I would say so.

Mr. BADILLO. How many people are enrolled in the program?

Mr. COHEN. There are 141,489 people in the State who consider themselves Franco-American. Their children comprise approximately 21 percent or 55,000 of Maine's elementary and secondary pupils. Yet, this year only 876 Franco-American students participated in a program of bilingual education. That is roughly one and a half percent of the state's Franco-American pupil population.

Mr. BADILLO. The groups you mentioned, the groups in question, what are the conditions of poverty among those groups? What are the conditions in housing, employment, et cetera?

Mr. COHEN. According to the information I furnished the committee, the scale, they are considerably lower in terms of education and income. So they are in a lower scale as far as the general population of Maine. However, the general population of Maine has a considerable amount of poverty in the state because of the lack of industry. But the Franco-Americans would be on the lower level of that.

Mr. BADILLO. Are there any poverty programs now serving the Franco-American community?

Mr. COHEN. I do not know if there are any specifically.

Mr. BADILLO. Thank you very much.

Mr. MEEDS. The gentleman from Puerto Rico.

Mr. BENITEZ. I read on page five of your testimony that the first grade pupils are achieving less than the national average and the difference between these pupils and the national averages in all areas of education grew progressively larger with each succeeding grade. In reading achievement alone, pupils who speak only French at home on the average are 3 years below the national norm.

I call the record to the chairman's attention and welcome the French-speaking children into the category in which the Spanish children and the blacks and other minority groups have historically been labeled mentally retarded, because their achievement in this test was below the national average. I think that with the inclusion of the originators of intelligence testing and the category of ethnic and national origins, no one has heretofore challenged its intellectual veracity and it serves again to prove a basic point in which all of us are interested.

It is the fundamental deprivation, education wise, which has been going on and that has resulted in the reduction of opportunities of people who, if they had been treated equally, would have in all likelihood been able to accomplish more.

Mr. COHEN. I show on page 5 the statement as to the marked decrease in IQ scores from the fourth to the 12th grades. Lack of ability to understand can be reflected in IQ scores and in a very negative way.

Mr. BENITEZ. The other concept I invite your attention to is the fundamental implications of your position, of your project. If we are to proceed on the logic of the *Lau* v. *Nichols* case and with this set of facts we are really entering a new possibility of educational reassessment that would involve significant change, then I would think that the preconception in your project, whwere the federal contribution might be limited to a 5-year span, is completely unrealistic because this task involves a much larger span of years.

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Mr. COHEN. We do have to have a much larger contribution to the field of education. I do not feel qualified to comment on whether we need 5 or 10 years. It seems to me if we could concentrate the type of programs that are necessary, we should do so during the early years of a child's development and achievement in order to instill goals for the child to accomplish in a goal oriented society.

So if we can concentrate most of those resources in the early years, we can help them attain an upward mobility.

Mr. BENITEZ. I have no quarrel with the basic idea that the earlier you start, the better off you are. What I was trying to point out as did a witness from the Chinese community yesterday is, this is a situation which calls for much greater outlays but also requires a great deal of research and planning.

Mr. COHEN. I would agree with that.

Mrs. CHISHOLM [presiding]. Are there further questions, Mr. Benitez?

Mr. BENITEZ. No.

Mrs. CHISHOLM. I would like to ask you one question in particular. In view of the facts we have for the record that there are close to 5.5 million children in this country who do have real English speaking difficulties and in fiscal 1973 only $35 million was expended for bilingual programs and of this there were 34 projects in the country that had to utilize that money, I am interested in finding out what portion, if any, came to your particular state to help the bilingual program?

Mr. COHEN. We have three programs funded by the Federal Government but there is not a substantial amount coming in for these projects. This year the Federal share for the State's French bilingual programs amounted to $221,293 or .6 percent of the total Federal funds expended for bilingual education.

[Information referred to follows:]

ANALYSIS OF BILINGUAL PROJECTS IN MAINE

	Number of children served		Funds, fiscal year 1974			
Project	1974	Projected 1975	Federal contribution	Local contribution	Total	Percent Federal of total
St. John's Valley: (A) Madawaska, SAD 33, (B) Van Buren, SAD 24; grades kindergarten through 4	751	934	$134,540	[1] $300,000	$434,540	31
Caribou: grades kindergarten through 2	125	175	86,753	60,065	146,818	52
Passamoquoddy: grades kindergarten through 8	65	80	107,706	[2] 75,000	183,706	69

[1] Approximate.

[2] This contribution comes directly from the State.

1974 total elementary and secondary pupils in State, 262,382.

Franco-American elementary and secondary pupils in State, 55,100.

Total French in bilinqual education, 876.

Percent Franco-American pupils in bilinqual education of State total pupils, .3 percent.

Percent Franco-American pupils in bilinqual education of State elementary pupils, .5 percent.

Percent Franco-American pupils in bilinqual education of Franco-American pupils, 1.6 percent.

Mrs. CHISHOLM. Have you been able to establish this statistically in Maine, that there is a high correlation between the inability of your French-speaking citizens to obtain any kind of economic mobility because of a language barrier, or are there other factors involved?

Mr. COHEN. They have of course encountered economic problems. It is difficult to separate what is the cause and result. Inability to gain a fluency in the English language in turn restricts their ability to get jobs. More importantly, I think it discourages the children growing up from the goals of achievement. They are limited in their job opportunities which in turn puts them in a lower economic level.

Mrs. CHISHOLM. Would you foresee any difficulties in terms of teachers who would be available or who should be available in the event we are able to do something about this bilingual program?

Do you have professional persons who could move in as a result of training projects, et cetera, to be of real assistance?

Mr. COHEN. I think we could develop them very rapidly. We have groups in Orono, we have our educational television station also, which is doing a documentary on the problems. I am satisfied that we would have that kind of expertise. If not readily available, it could be obtained.

Mrs. CHISHOLM. Mr. Quie, do you have any questions for the witness?

Mr. QUIE. I will have later.

Mrs. CHISHOLM. Mr. Lehman?

Mr. LEHMAN. I am glad you are here. We have some Haitians coming into Miami and I am interested. Perhaps we can benefit from your French-Canadian experience. I have no questions.

Mrs. CHISHOLM. Mr. Quie?

Mr. QUIE. Thank you, Madam Chairlady.

You indicated you do have a bilingual program?

Mr. COHEN. Yes.

Mr. QUIE. Why does not the local community pick up the program?

Mr. COHEN. Well, I suppose it is the same story as throughout the country, a lack of funding capacity on their part. The State of Maine is very hard pressed. We do not have a very high level of income, property taxes are high. The law went into effect in 1969 and we have not been able to generate that much support for it in terms of raising the local dollars.

Mr. QUIE. It is my understanding the program was to get the idea of bilingual education going and once the concept was accepted, local money would go into the program.

In that community, what percentage of the community is of the French extraction?

Mr. COHEN. I would estimate at least 70 percent.

Mr. QUIE. Then you have the votes on the election for school board, too. It cannot be very high on their priority list if they have both the votes and the program.

Mr. COHEN. The idea of a bilingual education has been met with some opposition as it has on the national level. On one hand, the French were told they had to learn English and could not be taught French in the school. This whole concept of cultural heritage has only come about recently. It has not been so much on the local level. It is a paradox I am not able to explain away, but there is increasing support at the State level. I would hope there would be support from the national.

The chairwoman has touched upon the point that it is not just a question of teaching in French or giving a child an opportunity to speak French in school as well, but to have the expertise of teachers who can develop those special needs.

Mr. QUIE. I had a little experience with that. Norwegian was my first language. At school we were not allowed to speak in Norwegian except at recess. But eventually we did learn to speak English with all those Yankees, just by association. Then there were the people of Greek, German extraction who had to learn Norwegian so they could sell to the Norwegians. I wonder what would have happened had they continued to teach Norwegian in the schools?

Mr. COHEN. It seems to me the critical years are the early years of development. If a child comes to school where he is only taught English and he cannot comprehend it, his development will be restricted.

Recent studies have shown people have been labeled as being mentally retarded, slow, a problem child when in fact they were suffering from dyslexia. Those children who cannot read because of a double image were deemed to be less intellectually able. A child having difficulty comprehending a language which he is taught is not going to progress as rapidly. The statistics show this.

Mr. QUIE. We had high dropout rates in my generation. We do not any more. We had dyslexic problems in my own family—but it seems to me the interest ought to develop on the local level. I think the Federal Government ought to assist, but for the Federal Government to continue paying for a program such as this, it would be an enormous cost. It ought to be a local responsibility and the Federal Government ought to stimulate it. It seems to me eventually the States are going to have to recognize the need locally and be able to put up the money and at least they are not as far in debt as the Federal Government is.

Mr. COHEN. I am not sure the local governments are in any better position to pay than the Federal.

Mr. QUIE. Minnesota pays 70 percent of its educational costs, so I think the other States can do the same.

That is all I have.

Mrs. CHISHOLM. Mr. Bell?

Mr. BELL. Do you think a different type of bilingual program would be required for your State than for the State of California, where the majority of non-English speaking persons are Mexican?

Mr. COHEN. I think the program should be tailored to the group you are dealing with.

Mr. BELL. Other than the language program, is there anything else that would be different?

Mr. COHEN. You have to take into account the ethnic background, what sort of system would be consistent and parallel with what is going on in education. In other words, you are trying to integrate the two educational programs to hopefully achieve a level where that child from a minority is proficient in the English language.

I do not see this at all in any way disintegrating the so-called melting pot theory. I think we have to help minorities reach that goal.

Mr. BELL. You start out with something like that, say, in the kindergarten?

Mr. COHEN. Yes.

Mr. BELL. Do you have any idea how long it would take before that child would be able to be proficient in English?

Mr. COHEN. I am really not competent to give you that. I became somewhat proficient in the language of Hebrew after 7 years. So I would think that a child can learn very early, the earlier the better. I think you can pick up a language within the first 5 years which are perhaps the most important. But it is important that we get the early years. It took me a lot longer, 8 years, in studying Latin. It took me a considerably longer time to comprehend that.

Mr. BELL. Thank you.

Mr. QUIE. Madam Chairman, you sent out to the members a description of the people who spoke various languages. I have the one from my congressional district. I see we have no Norwegians listed. There are more Norwegians than anything else in my district.

Mrs. CHISHOLM. Those are the figures that we got from the Census Bureau. As you know they have made quite a number of mistakes in a number of areas. We will have to make sure we get the Census Bureau to acknowledge that the Norwegians are there.

Mr. Badillo?

Mr. BADILLO. I congratulate you on your answer to Mr. Quie. The issue is not whether someone like Mr. Quie is able to move ahead or somebody like me, who comes from Puerto Rico is able to move ahead. The question is how many of any given generation do we have who are going ahead, so we do not have more Norwegians in the first generation failing to graduate and go on. I think that is the problem—getting the first generation to move ahead without having to wait for the succeeding generations.

With respect to why it is a Federal responsibility, we have to recognize many of these problems arise because of the location or national problems. Puerto Ricans come to New York, because it so happened the air route was from Puerto Rico to New York. Had it been to Miami, it would have been Miami. Mexicans come to California because of the location of the border. The Francos come to Maine because of the location of that State. Therefore, you might get some States located in the center of the country that do not have the problem. But the fact is that it is a Federal problem.

Mrs. CHISHOLM. Thank you very much.

Now we will ask Mrs. Rosa Guas de Inclan to testify. She is the Chairlady of the National Advisory Committee on the Education of Bilingual Children. I want to extend the committee's welcome to you.

STATEMENT OF ROSA GUAS DE INCLAN, CHAIRLADY, NATIONAL ADVISORY COMMITTEE ON THE EDUCATION OF BILINGUAL CHILDREN

Mrs. DE INCLAN. Someone mentioned that the melting pot was not working. I like to think about it as a salad bowl.

Thank you very much. I feel very welcome and I agree wholeheartedly with you, that we need diversity and plurality rather than a melting pot. Why should we melt things that are good and which should be the domain of everyone?

It is in response to a letter of invitation written on February 28 by Congressman Perkins, chairman, that I come before this General Subcommittee on Education today "to testify at hearings on the Bilingual Education Act."

As has already been mentioned, my name is Rosa Guas de Inclan, consultant for Bilingual Education in Dade County Public Schools, Miami, Fla., and Chairman of the National Advisory Committee on the Education of Bilingual Children since January 10 of this year. Though not expressly indicated in my invitation, I am assuming that it is in this latter capacity, as Chairlady of the National Advisory Committee on the Education of Bilingual Children, that I am to give my testimony today.

Though the committee charter is dated January 4, 1973, the committee was sworn in on January 10, 1974, and met on January 11, called for the express purpose of reviewing the proposed rules to amend part 123 of title 45 of the Code of Federal Regulations related to the implementation of the Bilingual Education Act, as revised at the October 31 hearings. Most of the Committee members had either received the copy of the regulations only the day before coming to Washington or not at all. Some concern was therefore expressed by all as to the difficulty, near impossibility, of achieving the task at hand. It was only at the risk of not being able to make any recommendations at all prior to approaching deadlines that the Committee went through an overview of the proposed regulations and a discussion of some of the points that had been subject to revision at the October hearing, and others that some members of the Committee had signaled out as needing clarification, editing, or discussion. After a long discussion and under the apprehension of possibly being at fault for not accomplishing its agenda, the Committee finally adjourned at 5 minutes of 7 in the evening, having determined to study the regulations, to send in individual reactions and revisions, and to meet again at the end of the month, for 2 days this time, to consider all revisions and recommendations sent by the individual members to the Division of Bilingual Education. In other words, the Committee determined that it was not prepared to deal with the subject at hand, that it needed more time, a more conscious and conscientious study of the regulations in order to be able to say, "Do we or do we not agree with the policy involved in these proposed regulations for the implementation of the Bilingual Education Act?"

A feeling of ignorance and total unpreparedness to deal with the question pervaded the whole Committee. As its chairwoman, I was totally impressed with the 15 members, whom I had never met before, with perhaps two exceptions, who had worked with this chairlady on a previous committee. They, too, felt that we did not know what this was all about.

How could we be asked or expected to dispatch the task on the agenda, that is, review and approve the proposed regulations for the bilingual act? So then we determined that: 1) We needed to know more about ourselves and how we were to function in an advisory capacity; and, secondly, we needed to know more about the regulations and what they involved. Therefore, we decided to have another meeting at the end of the month.

Deadlines were upon us but we were not going to act hastily. It was fortunate for the Committee that we could rely on support and help from various outside groups. Groups like La Raza, like the Center for Applied Linguistics, gave us information that we needed to know. As a matter of fact, Dr. Troike, in his capacity of director of the Center for Applied Linguistics was most gracious in accepting an invitation that we made, that he give us some statements from a linguistic point of view. Unfortunately, linguistics and anthropology have been known for their absence in everything in connection with bilingual education, which deals with language and culture primarily.

So, prior to our meeting of January 30, a subcommittee kept on meeting after 7 o'clock on that 1st day, January 11, when we were supposed to end our agenda at 3. We ended it at 7, and kept on, that is, a subcommittee of us, meeting until midnight, trying to find out some of the things we needed to find out about the work of the Office of Education, of which we were totally ignorant. We had the cooperation of the Division of Bilingual Education in the person of Dr. Waggoner who remained with us graciously that evening and we structured a plan of orientation to take place at our next meeting scheduled to last January 30 and 31.

At the meeting, the Committee was informed by staff members from various departments, like the Bureau of Indian Affairs, the Office of the General Counsel, the Office of Spanish-speaking American Affairs, the Office of Spanish-surnamed Americans, the National Institute of Education, Title I, Migrant Education, Headstart, ESAA, the Education Professions Development Act, all, who graciously came to the meeting, as to their roles in education, and specifically in bilingual education. It is the hope of the Committee to coordinate the various efforts that have direct bearing on bilingual education and that should all come under Bilingual Education, Title VII, and under the direct—I don't want to say jurisdiction—concern would be a better word perhaps, of this advisory committee. We should function very closely with other advisory committees, such as ESAA and EPDA. Anything that has to do with bilingual education, we believe, is our concern and should be a matter under our consideration.

"The regulations," then, was the next topic on our agenda. By the way, I failed to say that on January 11 each one of the members took a draft of the proposed regulations home with him. The members were agreed to send in comments and reactions to the Division of Bilingual Education prior to the January 30 meeting. Then the Division would incorporate those comments and reactions, make a sort of summary of the new proposed revisions and mail them back to us in time for us to see what each member had to say. This compilation or summary would be the document we would react to on the 30th and 31st; it was to become then the revised regulation. In your appendices, there is a final draft form of the revised regulations as they are to go into the Federal Register.

There was a very detailed summary prepared by the Office of Legal Counsel placed before us that day. It was not placed before us in time for us to study it, so the Legal Counsel staff member graciously offered to "walk us through" the comments and the summary. After the brisk "walk-through," we decided that we needed to "sleep over" the regulations before we could be ready to vote on them. We came back on the 31st, ready to vote on the regulations.

There is an issue that is a focal point in this business of the regulations, and I will not hedge: the issue of continuation of funding after the 5th year. I believe in taking the bull by the horns and I believe this is in everybody's mind. It was the intent in the original proposed regulations to completely prevent programs that had gone on for 5 years to continue receiving Federal funds.

What are we doing in education, anyway? Are we going to be the victims of tokenism? Or are we educating children? This business of saying we cannot continue to fund programs after 5 years. Well, what is 5 years, for heaven's sake? That is fourth grade. Kindergarten through fourth grade. Then what? "Forget it, Charlie, you go on learning English and forget you ever learned Spanish, French, or anything else. You do not need that. You are part of the great American Nation and all you need is English?" . . .

Well, I submit to you, as responsible legislators, that this great American Nation better wake up to the fact that we need to know a second language. It is perhaps the only civilized nation in the whole world whose citizens do not know a second language and cannot interact with persons of other languages and cultures in their own language and in their own culture!

Perhaps one of the great triumphs of Mr. Kissinger today, what gives him a definite insight into foreign policy is the very fact that he knows a second language and a second culture, and that he has a broader scope to deal with human beings, which is lacking in so many of our provincial monolingual citizens of this great Nation.

Continuing, then, with the issue of continuation, I would like to say that the Committee believes in continuation. It does not believe in truncation or interruption of an educational program and leaving it as a token program. But it is very true, too, that we must be wary in regulations for funding that we do not preclude other programs for minority groups that are often forgotten, like Haitians, like many Asian groups. In Hawaii and San Francisco there are still many Filipinos that do not have a bilingual program. So we need to have guaranteed under bilingual education, that new programs are coming in all the time. We cannot put all our eggs in one basket. Therefore, some provisions have to be built into the proposed rules so that while on the one hand we favor continuation of programs, on the other, we leave the door open for new programs that deserve to be funded, and for every one to get a chance at bilingual education; and for all the 5 million children and more who are in need of bilingual programs, to get bilingual programs!

Therefore, an amendment or a revision was built into this particular section. To begin with, the section is no longer 123.14(c). That section is now changed to 123.14(b), since old section (b) was eliminated.

I would like to call to your attention the fact that you do have a revised copy of the proposed regulations as Appendix A of my testimony.

The provisions that were built into this regulation as it now stands are that a 5th year program, in order to deserve continuation of funding, needs to prove that the nature of its activities warrants continued Federal assistance. And in order to prove this, the applicant program is subject to assessment. But it has to submit to the same assessment criteria that any other program has to submit to. As originally proposed, continuation of assistance was based on a different point value assessment. We allotted more points, or greater weight, to "staffing" in the assessment criteria. We allotted more points to "parent and community involvement" and to "needs assessment." Then we decreased the point value of "continuation of program." Now it is our opinion that the revised regulations have placed in proper perspective, the issue of continuation of funding after the 5th year.

The Committee's concern for continuation is again patently, overtly, expressed. As I said before, we need to build bilingual education programs through the secondary level, and not only for the non-English dominant children but for all children in this great Nation.

What is going to be the position of this Committee if we continue to survive? This is a concern that perhaps you members of this committee, who were so instrumental in getting the Advisory Committee on Bilingual Education organized, need to be concerned with, need to think over.

For example, we have staggered memberships on the Committee. I am scheduled to chair it until June of this year. Yet we have a tremendous responsibility ahead of us as an advisory body. Our charter mandates and the Bilingual Education Act mandates, that this Committee be concerned with policymaking decisions, with philosophy on bilingual education. I ask this committee, is it reasonable to demand of a committee of 15 people who have professional duties to address itself in the period from January to June, to the task of determining policy, of such an important transcendental question in the education of the citizens of this Nation? Whatever your answer is, we are going to try. On the agenda for the next meeting in Denver, the moment we can dispense with the formality of a report due on March 31 to the Commissioner of Education, we are going to address ourselves to defining position in bilingual education. We believe it is our prerogative that no one else can take away from us, to define the position of the U.S. Office of Education in regard to bilingual education. And if they do not want us to do this, they should not have asked us to come and give of our time and of our effort which we, 15 members, are taking away from our professional duties and our family duties to be involved in this function that we feel is an all important function, because we are, all 15 of us, I have been glad to ascertain, dedicated to bilingual education and believe in it as a necessary component in the whole educational system of the whole Nation. Bilingual education should not be regarded as a charity kind of hand-me-down for minorities but as a goal in every elementary and secondary school system in the United States of America. It is high time that the American nation wake up to the fact that it is laboring under a tremendous handicap by not being able to function in a second language and in a second culture. And I know I am repeating myself, but I feel this as a very deep commitment, having recently become a citizen of this Nation and believing that one of my most important callings is to awaken in my fellow compatriots the need to become aware of the tremendous advantage and scope that an individual gains when he gains insight into a second culture, into a second language, and how much more effective an individual can be as a productive individual in his own Nation, when he commands more than one language and more than one culture.

I am using the term "command" with full knowledge of what I mean. I mean being able to function in the two languages and interact acceptably in the two cultures, and not finding at every turn of the corner intolerance, misunderstanding, and conflict.

We believe that if we make the training of teachers, for example, a matter of total involvement of all school staffs that have high concentrations of non-English dominant memberships, we will eliminate the grave problems of discipline that all school systems are experiencing. If those teachers, if those principals and school administrators were to be given insights into the cultural differences which make culturally different children function in ways that many times they cannot understand, we believe many of the discipline problems that are inflating delinquency and dropout statistics, would be eliminated in all our schools throughout the Nation.

But how can we train these administrators and these faculties if we do not provide special funds? Is it logical, I ask the members of this committee, is it logical to think that a local education agency can pick up the tab and provide this training for their faculties in all schools? We need to build into our legislation the kinds of securities and safeguards that will contribute to a national policy, a national implementation at the grass roots level of multicultural education, as is needed. We cannot leave that to the state and local agencies.

True, the local agencies are expected to pick up the tab and eventually build it into their systems. But you, better than I, know your own human nature. You, better than I, know that there are many, many pressures at each local State agency, that taxpayers are demanding, and that people from minority groups and people from linguistically different groups are not necessarily in every community, in every school district, the taxpaying people that influence the board of education. You know that. You odn't need to have it told.

So there must be some kind of Federal mandate that will obligate funds for the special needs of these people. Those local agencies and school systems which have not awakened to the reality of need for bilingual education must be provided for. You people who are making the laws of the Nation cannot afford to let this go by. You have a commitment to your constituencies and to the United States of America to make sure that the Federal Government provides for bilingual education everywhere that it is needed and by a measley $35 million, you do not minister to the millions and millions of children who need bilingual education in this Nation. It takes at least $300 million, the way it stands, to provide bilingual education in the highest populated school districts, where the largest concentrations of, say, Spanish, French children are concerned.

Going on to other concerns in my testimony, and in preparation of our statement of position on bilingual education: we have asked the Center for Applied Linguistics to provide us with the groundwork of an initial definition of bilingual education. Dr. Troike has submitted a statement of concerns on bilingual education.

He says that bilingual education could mean almost anything to anybody. Well, bilingual education does not mean English as a second language, as we have seen it proposed in various position papers that are circulating around and have no business circulating around. Again, I will repeat, these papers have not come to the Committee on the Education of Bilingual Children, whose function it is to review all policy and philosophy concerning those children. English as a second language is a component of bilingual education. But English as a second language alone is not bilingual education. Granted, there are a diversity of models, of ways of implementing a bilingual education program. As a matter of fact, if you look at your appendix C, which contains six basic premises that I endeavored to circulate among the members of our committee when I learned I was to represent them at this hearing, as a way of referendum to get their ideas on these various premises; if you will turn to appendix C, you will see there are various models we might think of on a continuum basis. But we do believe a minimal bilingual program is composed of, yes, English as a second language and side by side with English as a second language, instruction in the vernacular language of the non-English speaking children in question.

Very often a school system which is committed to bilingual education and has no funds will find that it cannot go into the fourth model proposed here, which would include the non-English and the English dominant children learning together in the two languages, the English language and the vernacular of the non-English dominant children in the school. This we have to insist upon. We cannot isolate the non-English dominant from the English dominant, except as we group for instruction at a certain period of the day. But both groups need to interact and know about one another's languages and cultures.

In concluding, so that you may have time to ask questions, I would like to summarize several points I have not touched yet because I do not want to weary you.

I have said teacher training is most important. I have not mentioned *evaluation.* I have included in the appendix a list of achieved means in grades 1–6 in the first complete bilingual public school in this Nation, Coral Way Elementary, in Miami, where I have come from. This is included as some kind of study on bilingual children's achievement in reading and math. People are concerned that their children might fall behind in reading and math so, naturally, when we test each year, we are concerned with schools that have high populations of Spanish speaking children in Dade County. On this sheet are compared the achieved means of Coral Way and five other nonbilingual elementary schools. This is not an evaluation. Dade County does not have the money to cary on a really well structured experimental design in bilingual schooling each year. We need Federal funds to insure that we find out what it is that helps and what it is that does not help in bilingual education, in particular.

Teacher training, I have mentioned as an encompassing overall comprehensive plan and I have already mentioned bilingual education as a goal to be included in the goals of elementary education and to be pursued through secondary schooling in this Nation.

In concluding, I would like to say that we appreciate having had this opportunity both to report on the activities of the National Advisory Committee on the Education of Bilingual Children and to review some general principles which we very staunchly and firmly believe in regarding bilingual education.

I thank you very much for your attention.

[The prepared statement of Mrs. de Inclan follows:]

TESTIMONY BY MRS. ROSA GUAS DE INCLAN, CHAIRLADY, NATIONAL ADVISORY COMMITTEE ON THE EDUCATION OF BILINGUAL CHILDREN

It is in response to a letter of invitation written on February 28 by Congressman Perkins, Chairman, that I come before this General Sub-committee on Education today "to testify at hearings on the Bilingual Education Act."

As has already been mentioned my name is Rosa Guas de Inclan, Consultant for Bilingual Education in Dade County Public Schools, Miami, Florida, and Chairman of the National Advisory Committee on the Education of Bilingual Children since January 10th of this year. Though not expressly indicated in my invitation, I am assuming that it is in this capacity, as Chairlady of the National Advisory Committee on the Education of Bilingual Children, that I am to give my testimony today.

As I write this testimony, I regret that I cannot express the consensus of the Committee as I tried to, by requesting the individual members' responses to concepts, philosophies and premises contained in the most recent documents expressing position on bilingual education that I had available and could, on short notice, make also available through the mail to all Committee members. In addition, a summary of my own concepts was mailed to each member by way of Referendum, with provisions for indicating agreement-disagreement either in writing or by phone, as can be seen from attachments to this testimony.

Though the Committee Charter is dated January 4, 1973, the Committee was sworn in on January 10th, 1974, and met on January 11th, called for the express purpose of reviewing the *Proposed Rules* to amend Part 123 in Title 45 of the Code of Federal Regulations related to the implementation of the Bilingual Education Act, as revised at the October 31 hearings. Most of the Committee members had either received the copy of the Regulations only the day before coming to Washington or not at all. Some concern was therefore expressed by all as to the difficulty, near impossibility, of achieving the task at hand. It was only at the risk of *not being able to make any recommendations at all prior to approaching deadlines* that the Committee went through an overview of the Proposed Regulations and a discussion of some of the points that had been subject to revision at the October hearing, and others that some members of the Committee had signalled out as needing clarification, editing or discussion. After a long discussion and under the apprehension of possibly being at fault for not accomplishing its agenda, the Committee finally adjourned at five minutes of 7 in the evening, having determined to study the Regulations, to send in individual reactions and revisions, and to meet again at the end of the month, for two days this time, to consider all revisions and recommendations sent by the individual members to the Division of Bilingual Education. A feeling of *ignorance* and unpreparedness prevaded the Committee, all members of which, I was prompt to ascertain, were quick to grasp the enormity of the responsibility it had been called on to asume, without adequate time to prepare for its proper dispatch, without fully knowing that its main function was other than that repeatedly pointed out by the various officials of the Office of Education, "an advisory one." So much stress was placed on this characteristic that there was genuine apprehension among the Committee regarding the possible lack of weight or impact of its advice. Assurances from the Associate Commissioner of BESE and the office of the Deputy Commissioner for School Systems, among others, allayed the Committee's fears.

It was a gratifying experience to ascertain from the very beginning an unconditional and unanimous commitment to a responsible and productive function on the part of all Committee members.

This commitment, overtly shared by Division of BE staff, was evident in the willingness of some members to postpone return trips and continue deliberations as to functions and procedures, as to the acquisition of information on the relationships among the various departments in the Office of Education concerned with or affecting Bilingual Education more or less directly.

The Committee is very fortunate also to have been offered the support and cooperation of local groups such as the National Council of la Raza, the Raza Association of Spanish Speaking Americans, the Center for Applied Linguistics, the National Urban Coalition.

On the same evening of January 11th the subgroup of committee members met with a Division of Bilingual Education staff member, Dr. Waggaoner, who graciously and generously finished the day with us. An orientation session was to be planned for the January 30th meeting, for it was felt that the Committee urgently needed information about the Office of Education, the other agencies funding bilingual projects, the administration of programs, the functions of the secretary's and the commissioner's personnel serving special concerns, outside groups working for bilingual education, and matters related to the Committee's internal organization and structure, such as the staggered terms of quorum, and other procedural matters related to national advisory committees. On January 30 and 31, then, the Committee met for two important purposes: orientation and final discussion of the Proposed Regulations.

The first phase of the orientation program, dealing with some of the OE departments and agencies funding other programs related to bilingual education took the major portion of the day. Staff members of the Division of Bilingual Education, the Office of the General Counsel of the OSSAA, OSSA, NIE, BIA, ESAA, EPDA, Headstart indeed, graciously consented to report on the work of their various departments for the benefit of the Committee. In the afternoon, the staff members from the Office of Legal Counsel offered to lead the Committee to "walk through" the summary of comments and changes in the regulations, a document which had been distributed earlier in the day. After each "comment," there was a Response explaining why the proposed revision had been accepted or rejected by DBE. Copies of the rough draft final version of the revised Regulations were then distributed to the Committee for its consideration. After a brisk "walk through" the summary, and having clarified questions, the Committee adjourned at 5:40 P.M. with the determination to "sleep over" the final version of the Regulations and prepare to vote on them the next day.

On the issue of continuation of funding after the fifth year, which has become a focal point, the Committee unanimously accepted the revision of the section that was 123.14(c) in the original Proposed Rules, now sec. 123.14(b). The Committee favors the funding of programs after 5 years. It does, however, hold the opinion that such programs need to prove that the nature of their activities warrants continued Federal assistance, and in order to prove this fact, the applicant program is subject to exately the same assessment criteria as any other program. As originally proposed, continuation of assistance was contingent upon evaluation on the basis of different criteria, that is, those established in 123.14(b), a section which is now deleted. In addition, by allotting greater weight to "Staffing," to "parent and community involvement," and "needs assessment," while at the same time decreasing the point value of "continuation of program," the revised regulations have, in the Committee's opinion, placed in proper perspective, the issue of continuation of funding after the fifth year.

It might be pertinent at this time to bring up the Committee's concern for "continuation," as it applies to bilingual programs, and as expressed at our January 11th, and 30th sessions. Upon the initiative of the chair, Legal Counsel studied the possibility of including in the Regulations some provision to guarantee that students in a bilingual program would be able to continue their bilingual schooling throughout their secondary education. The response, upon consultation, however, was that such a provision would represent the type of limitation that would violate the Cranston Amendment to the General Education Provision Act.

I am attaching as appendix to this Testimony the copies of final of the Regulations and the *additional recommendations* for revision which the Committee approved on January 31, part of which is not included.

Once having dispensed with the issue of the Regulations, and while still acquiring administrative and procedural orientation, the Committee must address itself to the matter of writing its annual report to the Commissioner and stating its position in regard to bilingual education. This latter task, the Committee submits, is a priority that cannot be yielded to any other group in the nation. Once organized and in full function, the Committee becomes the task force to be charged with the responsibility of advising and recommending the national philosophy that the Office of Education is to propose and implement. Letters exchanged between Congressman Carl Perkins and Commissioner Ottina bear witness to the fact that great care, extensive screening, and research were exercised prior to the selection of members for the National Advisory Committee on the Education of Bilingual Children. None of its members requested its membership. All of then should then be deserving of the kind of trust and credibility afforded other policy-making groups similarly and as carefully selected at the national level.

In order to define the Committee's position on Bilingual Education, the Committee has appointed a subcommittee that will address itself immediately to the task of stating position and philosophy. As a preliminary condition the Committee has asked the Center for Applied Linguistics to provide it with its views on bilingual education. Dr. Troike, on very short notice, was kind enough to submit to us a Statement on Linguistic Concerns from the Center which we are studying. One point which Dr. Troike makes is that in this country Bilingual Education has tended to develop in a vacuum and we have been rather provincial by reinventing the wheel rather than building on the experience of others. "Linguistics and anthropology," Dr. Troike say, which are two of the disciplines most equipped to provide input into bilingual-bicultural education, have been largely conspicuous by their absence from programs." In this statement Dr. Troike offers several modes, we might say, of bilingual education. A very interesting point that he makes is that bilingual education could mean almost anything as those charged with administering Title VII in its early days learned to their dismay. But if we ignore some of the more extreme and sometimes amusingly ingenious interpretations as well as some of the more patently dishonest ones (such as programs for Indian children without any teachers who can speak the Indian language, while the school district collects federal funds), we can find a core of types of programs which can be designated as bilingual programs.

"How the definition of the Act-bilingual education involves the use of two languages . . . as medium of instruction," is realized may depend on the goals of the program" says Dr. Troike further, "with different interpretations being equally valid for different or even the same situations. To prefer a particular definition is often more to prefer a particular goal, from which the definition follows." In somewhat similar fashion as I have presented further on in this paper Dr. Troike conceives of two polar types of models (1) that in which the native language is used only as an oral "crutch" until the national language can be learned and used in all functions thereafter, and (2) that in which a full range of skills is developed on a balanced basis throughout the curriculum for both languages. Dr. Troike thinks that both are legitimate, given particular goals. At this particular point, we differ. For us a bilingual program minimally has to do a little more with the native language of the non-English dominant child than merely use it as a "crutch." For us a bilingual program must really include both languages as part of the program of instruction throughout the child's entire education. And by that we mean both elementary and secondary levels. A very important point that Dr. Troike has made in his statement is one pertinent to staffing and teacher training. Unfortunately, many school administrators believe that because a person speaks a particular language other than English he is qualified to teach that language. This has been the cause for many a failure in the implementation of bilingual programs at all levels. As Dr. Troike well says, "a Spanish speaker who has grown up in a typical English school environment will usually lack any knowledge of how to discuss even first grade science lessons in Spanish." I might add, he may also lack the necessary techniques and approaches to teach science or to teach social studies and thus will make it totally boring and unchallenging for the Spanish speaking students that he teaches. If this happens in Spanish, what can we expect of other language groups? Dr. Troike also mentions the importance of having linguists on staffs of bilingual programs such as in the case of Indians, where linguists are particularly needed to develop orthographies, analyze grammar and develop dictionaries and linguistically sound pedogical materials.

The relationship of bilingual education and ESL is also brought out by Dr. Troike, as he says that ESL may be incorporated or rather is incorporated as an indispensable part of bilingual education. However, I would like to submit that *ESL* alone is never appropriate or desirable as part of a bilingual program for any but sophisticated, well educated non English-speaking adults. Only these can be thought of as needing no further refinement of their own language acquisition process. The position that instruction in the native language of the non English dominant learner can be dropped once he is able to use English as a medium of instruction is untenable-if, for no other reason, because of the *dishonesty* involved. There can be no justification for submitting any child that is entrusted to public education to a process in which he is to lose all or a major part of a desirable potential that he brings with him. In addition, no educational system has the right to impose an unwarranted hardship on homes and families by making communication between parent and child difficult or even impossible, and by alienating the child from everything that his parents hold dear to them-their own language and culture.

In addition to the ESL program, and side by side with it, there needs to be a program in the vernacular of the children in question. Again this vernacular program cannot be a token program that will merely serve as an agent in expediting the acculturation process and facilitate the learning of English then cease to exist. The vernacular program needs to be well structured and parallel the English program.

Another important point in the *Statement* from the Center for Applied Linguistics which is also one of the aspects of HR 69 and for that matter, of Senate Bill 1539 which is crucial to the survival or even adequate implementation of Bilingual Education throughout the nation is teacher training. It is most important to provide inservice training for all bilingual education personnel and I would like to stress *all*, for administrators also need to be made aware of as a minimum cultural differences of the students and the parents of the students who are culturally different that make up their school membership. A great deal of conflict, misunderstanding and resentment would be eliminated if at least some kind of cultural orientation course were provided for all faculty members in a school that has a high concentration of children of little English speaking ability or who are culturally different. The fact that unless inservice training is offered during school-time it is poorly attended, makes it absolutely imperative that funds be provided for substitute teachers to take the place of faculty members, a few at a time, as they receive inservice training in bilingual education components. Perhaps at this point it is pertinent also to point out that in such schools where there are high concentrations of non-English dominant students, the bilingual program, in at least the English SL component, should be a matter of total involvement for the schools. Just as we in education advocate the fact that every teacher should really in practice be a language teacher so that within whatever context a teacher may be dealing with, attention is given to communication skills, by the same token, the ESL program should be the concern of all teachers in a school where there are many students who need to be instructed through the utilization of a second language approach. Thus, the regular classroom teacher who is dealing with the social studies skills, science processes, or other curriculum concepts, would be aware of problems arising from the interference of previously formed language habits in the students. The teacher would not throw hands up in despair when she or he repeatedly hears "Che" [ei] for *she* and "shair" [ser] for *chair*. She would know that it isn't really an obstinate kid that she has there in front of her—if he can say ei why in heaven's name can't he say "*chair*"?

That teacher needs to know that what she is really hearing is neither *ch* nor *sh*. She thinks she hears it because the Spanish speaker pronounces neither one of those sounds in the manner that she expects to hear it. What the Spanish speaker says is the same sound for *she* and for *chair*. But she expects *chair* and doesn't get, so she thinks that he is saying "shair." An introductory knowledge in the contrastive analysis between English and the language of the non-English dominant child would smooth over so many of these kinds of misunderstandings and would expedite the actual teaching of content subjects for the non-English dominant child so again the Bilingual Education Act needs to be concerned with funding for teacher training. The local educational agencies will never be involved in massive kinds of inservice courses such as are needed for entire school staffs dealing with non-English dominant children.

To quote Dr. Molina in his position paper on Bilingual Education prepared for the Commissioner of Education in December 1973, "The Continuation of a Federal leadership role in bilingual education is necessary at this time in order to most effectively implement the policy stated in [Title VII of the Elementary and Secondary Education Act of 1965, section 702]. The federal government needs to continue to serve as facilitator, advisor, technical developer," in the words of Dr. Molina, "to schools having high concentration" of non-English dominant children. The Federal Government needs to take the leadership in planning and in taking the necessary steps that will lead to the development of programs that will definitely meet the special educational needs of such children.

Very often school systems are slow to identify the existence of culturally and linguistically different groups of children who have special educational and sociopsychological needs by reason of their language and cultural differences. This is especially true in the case of non-vocal, small or widely scattered groups of the less populous ethnic minorities, such as Indian, French, Portuguese, and Asian Groups. Even after identifying such needs local agencies are either reluctant or unable to utilize local funds to provide culturally or linguistically diverse programs especially if the recipients of the program do make up a significant segment of the local tax-paying group.

The Federal government needs to guarantee that equal opportunities in education are provided to all regardless of culture or language barriers and that no child within the United States of America fail to achieve in relation to his potential because of his particular school systems' failure to provide for his special needs. This was sharply brought into focus by the Supreme Court decision in the Lau versus Nichols case just recently.

Other arguments are mentioned in the Division of Bilingual Education Position Paper that significantly bring out the importance of the continuation of the Federal aid in bilingual education. One is the mobility that characterizes the American people, of which the children of migrant workers are a good example. It is extremely difficult for local and or State educational agencies to meet the special educational needs of the migrant child as he changes from one school system or school district to another. It is unlikely that there will be any kind of uniformity that will allow the child to continue profiting from education as he moves, unless the Federal government guarantees some kind of continuity in the way of providing a pupil profile, or some cumulative record that will follow him and thus will enable all school districts to provide for him the kind of program that will meet his particular condition of being a migrant child.

"The national concern for education that ensued after Sputnik in 1957 recognized foreign language instruction as vital to the national welfare," states DBE Position Paper. Yet the deficiency still remains in the North American education system, as it fails to include the ability to communicate in at least one second language other than English among the goals for the elementary level in those areas of the United States where there are large concentrations of people who speak a language other than English at home and in conducting the major part of their ordinary daily affairs. High incidence of juvenile delinquency and high dropout figures have been quoted again and again, among the non-English-dominant students at the secondary level. Little needs to be said here that has not been repeatedly said and proved with statistical evidence by various groups concerned with bilingual education and non-English speaking minorities, and by various national advisory committees such as the recently disbanded Advisory Committee for the Education of Spanish and Mexican Americans. It is most important that bilingual education be continued throughout the secondary level and that continuity be assured for *all* students, not just for the non-English dominant children, but for all. None of them should find that their progress is suddenly discontinued or cut when they are really finding most gratifying experiences in bilingual biculturalism. If school systems are to be truly responsive to the needs of today, they must provide for bilingual, bicultural education for all. And how can they, unless supplemental educational services are funded by the Federal government?

Evaluation, or the assessment of the effectiveness of a bilingual education program, is another item that requires Federal support if it is to be carried out in a valid manner. Some school systems where there are bilingual education programs find it very difficult because of so many demands on their evaluation departments to really conduct an indepth evaluation in bilingual education. We do have proof, however, in spite of this shortcoming, that bilingual education works. The Coral Way Bilingual School in Miami, Florida, the Fienberg Bilingual School and Shenandoah Junior High have been offering bilingual school organization programs since the 1960's. In 1963, Coral Way opened with first, second and third grade and these same students have been followed through junior and senior high school until they are now at the 11th grade level.

You might like to refer to your appendices where you have a summary information on the bilingual education program in Dade County schools. In October 1973 according to a Spanish language origin student survey carried on, there was a total of 15,171 ESL class student membership distributed in 167 schools and 39,484 SLO in Spanish language Arts classes distributed among 181 schools. There were 4,503 bilingual school organization students distributed among 11 schools, of which three are K-6 elementary, three are K-2, two are 7-8, one is 7-9 and one is 10-11. There is a total of 11 on a bilingual school organization. There are 7,200 English-dominant students taking Spanish as a second language distributed among the 11 bilingual schools and 46 additional elementary schools that are offering classes in Spanish as a second language for the English language dominant children.

We have made an estimate of per pupil cost of the bilingual education program including the bilingual school organization, and also including bilingual pupil services provided by visiting teacher counselors and by bilingual psychologists, and area coordinators. Staff development instructors are also included. All of these bring the per pupil cost to an estimate of $60 above the regular per pupil cost, which for Dade County was around $950. All this you may refer to in your appendices.

It might be interesting to also look at some hastily gathered data on the May, 1973 test scores in reading and math on the Stanford Achievement test at Coral Way Elementary and 5 other Miami schools which have comparable populations and do not have a bilingual school organization. It is important to note that because they have comparable populations, which means that they have Spanish language origin children they do have Spanish and ESL classes too. They do not have, however curriculum mediated in Spanish but only a half-hour of Spanish language arts. The achieved means per grade in Coral Way are compared with the other 5 schools labled as A–E. Some cases of lower achieved means are actually non-significant, statistically speaking. The significant factor is that both English and Spanish dominant children have learned to communicate in English and in Spanish and have not lost ability to perform in basic skills in English while so doing.

We need to go into real evaluation. We need to submit experimental designs and find out what is helping the children achieve, and what it is that is hindering their achievement, and how children learn best. If we are to gather valid data that may help us to arrive at some conclusive decisions, we need federal aid in the evaluation of bilingual programs throughout the nation.

In concluding, I would like to say that the National Advisory Committee on the Education of Bilingual Children appreciates having had this opportunity to report on the activities of the Committee and to review some general principles regarding bilingual education that are important and significant. I would also like to refer you to the Appendix which contains the Referendum that was sent to the members of the Committee in which there are 6 premises that have been touched upon during this testimony. Premise no. 6 presents our different models of bilingual education: from a minimal offering or 2 languages for the non-English dominant group to a full intensive program which involves the vernacular of the non-English dominant learners both as language arts for these students and as second languages for the English dominant students. In addition, curriculum content in the vernacular of the non-English dominant (for example, Spanish) is offered to both the English language origin and the non-English language origin (Spanish) simultaneously, that is, during the same day and in the same school.

The National Advisory Committee on the Education of Bilingual Children is glad to endorse all amendments made to the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended, which make the following provisions:

1. Extension of the Bilingual Education Act so that appropriations are authorized at the level fixed under present law for FY 1973, for each of the four succeeding fiscal years.

2. Provision—under Section 704 of the Bilingual Education Act— whereby if a local education agency determines, in accordance with criteria provided by the Commissioner of Education, that the needs of schools having high concentrations of students of limited English-speaking ability from families with incomes below $3,000 per year have been adequately met, it may carry out programs under that title in other schools where, in accordance with criteria of the Commissioner, there is a major need for bilingual education programs.

3. Provision—under Section 705(a) of the Act—for grants to be made to an institution of higher education including a junior or community college applying jointly with one or more local educational agencies.

4. Provision—under Section 705, and in new subsection (d) for new authority for the Commissioner of Education to make grants under the Bilingual Education Act to public or nonprofit private agencies, organizations, or institutions for research or demonstration prejects in the field of bilingual education, for projects designed to disseminate instructional materials for use in bilingual education programs, and for projects designed to provide preservice for inservice training for bilingual education personnel.

The Committee thanks Chairman Perkins and the members of the General Committee on Education and Labor for its genuine concern in the organization and functioning of the National Advisory Committee on the Education of Bilingual Children. We pledge to do our utmost to deserve such concern by working, from our stations in the same endeavor in which we are all involved; in making this great nation forever great in every aspect by providing equal opportunities for all who live in it to contribute to its greatness.

Mrs. CHISHOLM. I am sure the total committee will agree with me when I say to you we certainly appreciate your appearance here this morning because there is every indication you have very deep feelings and commitments about bilingual education.

I have a few questions.

You made reference to the facts that of course the mandate has to come from the Federal Government, it cannot be left up to the State and local areas.

I think all of us are now able to see through our experience with revenue sharing that the powerless do not have the necessary political clout at the local level; they are being given the shaft by their local governments.

Was your advisory council involved in the formulation of these regulations printed in the Register in 1973? If not, why not?

Mrs. DE INCLAN. The committee did not become a committee until January 10, 1974. We were confronted with the proposed regulations and revisions and even a public hearing had gone on, October 31, before we came into existence.

Mrs. CHISHOLM. Since the law specifically mandates the advisory council is to advise the Secretary of HEW as to the regulations and policies, has there been any move to make sure that you have real input and are not just a paper organization?

Mrs. DE INCLAN. I have explained to you the proceeding in detail, whereby we did become involved in reviewing the regulations with the constraints of time that were put upon us.

Mrs. CHISHOLM. I understand the advisory council is presently drafting a position paper that will have a significant effect on the administration and programmatic design.

Expand in your own words what you really feel bilingual education should be and what is really needed to implement this program in this country?

Mrs. DE INCLAN. Well, I think I have been expanding on that all along by saying what the committee feels. One, that it needs to be made a national comprehensive type of educational program for the whole Nation, not just for a few. Two, that in order to become a national commitment, it has to be nationally funded and federally funded and we cannot afford to leave it up to the local educational agency to become aware of local needs and then begin to fund programs. That it has got to be a responsibility of the Federal Government. As a matter of fact, there is a position paper which I have referenced in my testimony, dated December 1973, where the Director of Bilingual Education, Dr. John Molina, mentions the great commitment of the Federal Government in initiating and guaranteeing that there are bilingual programs in this Nation.

If the committee does not have this position paper, I would like to refer you to it because it contains many, many worthwhile philosophies that the committee is very definitely in accord with. This is not the paper that, to my knowledge, is being circulated but another kind of revised, much shorter form which destroys the very essence of bilingual education and converts it into an ESL program, English as a second language, which is only one-fourth, and not the total picture.

Mrs. CHISHOLM. Thank you.

Mr. Bell?

Mr. BELL. Thank you, Mrs. de Inclan. I assume that your mother tongue is Spanish?

Mrs. DE INCLAN. Yes.

Mr. BELL. I think your testimony speaks worlds of words as to benefits that can be derived from learning two languages. The manner in which you sell your point of view is very commendable.

Mrs. DE INCLAN. Thank you, Congressman.

Mr. BELL. Mrs. de Inclan, what do you believe the United States should have as a second language?

Mrs. DE INCLAN. It depends on the particular community.

Mr. BELL. But do you think there should be a national second language, for example, I believe, the Japanese have a national second language which is English?

Mrs. DE INCLAN. I would like to pose that question for you, rather than answer it myself. Which would be the most convenient for this Nation to conduct its affairs? Which would be the most logical for this Nation, in view of the population of non-English speaking individuals?

Mr. BELL. That is an unfair quetsion to ask of me, because I come from Los Angeles and I would say the second language should be Spanish, because of our connection with South American countries.

Mrs. DE INCLAN. You have said it, Congressman Bell, I have not.

Mr. BELL. It sounds like you could be a lawyer, the way you turned it round.

Mrs. DE INCLAN. My husband is one, and for 30 years I have been trying to make my points with him.

Mr. BELL. Mrs. de Inclan, we come across other problems though. In cases where there is a large population of, say, Chinese people, or people from other cultures, we don't have the expertise with instructors and so forth.

Mrs. DE INCLAN. That is true.

Mr. BELL. Could you, for the record, submit a list of the members of your committee and professional priorities? How many linguistic groups do these members represent and in how many States?

Mrs. DE INCLAN. Yes; I do not have the list with me but I could ask the division of bilingual education and they will provide this committee with such a list.

Mr. BELL. You have already stated, I believe, that under the *Lau* v. *Nichols* decision, the primary source of funds should be Federal, rather than local. Now, the question I would ask you, do the Office of Education officials share your views on that?

Mrs. DE INCLAN. I have no way of knowing, Congressman Bell. I believe, in looking at the position paper that was written by Director John C. Molina, who in the area of bilingual education should represent the views of the Office of Education, he does place the responsibility for bilingual education primarily on Federal aid to education. But having looked at the revised form that came from the Office of Management and Planning and Budgeting, I do not believe that the other officials agree with our views.

Mr. BELL. You did comment that at $60 per child, that would run about $300 million for bilingual education?

Mrs. DE INCLAN. Yes.

Mr. BELL. Is that what you are thinking of as an annual appropriation?

Mrs. DE INCLAN. That would be minimal, yes. If you look at your appendix, I have submitted a cost analysis of the bilingual program in Dade County schools. That was really $60, in addition to the per pupil cost. Let's not mistake that $60 as being the total cost. In our county, we have about a $950 cost per pupil in the whole system. To provide the kind of bilingual education that we now can provide and are providing there without a title VII project for this, because Dade County schools do not have a title VII project, then it would be necessary to increment that per pupil cost by $60.

Mr. BELL. Thank you very much for your answer and your excellent testimony.

Mrs. CHISHOLM. Mr. Benitez?

Mr. BENITEZ. I wish to congratulate you on your testimony and on the spirit with which you are approaching your enormous responsibility.

Mrs. DE INCLAN. Thank you, Congressman Benitez.

Mr. BENITEZ. I would like to ask a few questions.

I see from your testimony that the committee charter is dated January 4, 1973, but you were sworn in a year afterwards. Can you explain this discrepancy?

Mrs. de Inclan. I have no way to know because I did not become involved until January 10. As a matter of fact, it was on a very short notice that all members were asked to convene here in Washington, take an oath and start working on the regulations right off the bat.

Mr. Benitez. The section 708, as to the advisory committee, was approved and enacted January 2, 1968, which makes a difference of 6 years before your committee came into existence. Had there been a committee prior to your committee performing the functions herein stated?

Mrs. de Inclan. It is my understanding, Congressman, that there was some kind of a committee that really never was in function, but of which I have no knowledge whatsoever, nor do any of the other 14 members of our committee.

Mr. Benitez. Have they left any recommendations or work on which you can build your own proposal?

Mrs. de Inclan. Not that I am aware of.

Mr. Benitez. So this means 6 years' business between the time the Congress mandated the creation of this committee and the time the committee was actually established for functioning purposes?

Mrs. de Inclan. Yes.

Mr. Benitez. We will be hearing here in a few days from the Commissioner of Education, Mr. Ottina. While we are interested in the necessity for reorienting the thinking of the Office of Education consistently with the *Lau* v. *Nichols* decision and the approach which in many ways you have made, are there any suggestions that you would like to make in conjunction with recommendations to the Commissioner?

Mrs. de Inclan. Yes; I would like to feel secure in what we are doing. I would like to know that I have the support of Congress and the support of the administration in executing our mandate and I would like not to have to depend on constant changes as to members of the committee. Just as I feel a strong commitment to continuation in education, I feel that if we start going on this business and then our members are changed, once we have begun to learn how to work with one another—and human beings need to learn that—group dynamics has to be guaranteed. I would like to know we can count on a certain permanency.

Mr. Benitez. May I interrupt to ask you another question. You stated in your testimony that your appointment expires 6 months after you have been sworn in.

Mrs. de Inclan. That is correct.

Mr. Benitez. From what does that situation result, from the nature or the length of the appointment?

Mrs. de Inclan. I have not seen any such regulations in my perusal of the Advisory Committee Act. I have researched into the Advisory Committee Act and I see no such provisions in the act, nor do I see it anywhere else. But it was in writing in the letter of appointment.

Mr. Benitez. I see here also that the term of a number of the members of the committee expire on June 30, 1974.

Mrs. de Inclan. This is my concern, Congressman.

Mr. BENITEZ. So not only the chairman but a number of the members who have been requisitioned in this vital job terminate their appointments 6 months thereafter. Is there no regulation covering that situation?

Mrs. DE INCLAN. I have not been able to find one.

Mr. BENITEZ. We will endeavor to find it ourselves later on.

Now, you speak quite eloquently about the importance of bilingual education and the desirability of a second language. I felt that somehow you fell into a psychological trap when you proclaimed that Spanish—or you did not proclaim but you agreed with one of our members to the effect that Spanish should be the second language of the United States.

My own feeling, and I think if I probe further it would be yours also, is that while recognizing the basic fact of the enormous importance of Spanish and the prevalence of persons with Spanish origins among the several groups, I would think that our fundamental philosophical approach must be, and I just wonder if you would agree with me, that it is one of the great opportunities of the United States to mine this secret resource which up to now has been an unused resource, of potential language plurality in the United States. Therefore, do not foist Spanish or any other second language on people but rather try and draw from their own origins and their own resources and their own domestic resources, be they Chinese, Japanese, French, or Italian or Spanish. There are resources which this Nation needs to enrich and enrich itself if it is to be able to discharge its responsibilities fully. Do you agree with me?

Mrs. DE INCLAN. I would certainly agree with that, Congressman Benitez! And this is why I refused to answer and continue to refuse to answer the question regarding whether Spanish should be the second language of this Nation. I do think that we respect pluralism. I do think that we must consider individually, that is, for each school system and each community, what is most convenient for that community.

Mr. BENITEZ. And for that individual?

Mrs. DE INCLAN. Right. I can see on the Pacific coast, being so close to China, it would be to the convenience of the communities there to have Chinese, some kind of a Chinese. This is why I am pointing out the necessity of addressing ourselves to the matter of feasibility and practicality in the selection of the second language. When we think of Chinese and other languages, how structured are they and what kinds of language variants are we to be concerned with? Are we talking about Mandarin Chinese?

Mrs. CHISHOLM. May I interrupt? We are watching the clock. We do have other members who desire to ask questions and we have another witness. So if the other Congresspersons desire to ask questions, will you ask her your two most important questions.

Mr. Quie?

Mr. QUIE. Thank you. I think we have an excellent witness here and I thank you for coming. You have brought to us information which is necessary for us to have in order to make a wise decision on the extension of this act and I want you to know, you have answered a number of my questions but I do have other questions, if I may.

If we extend the act, it is my understanding the programs are like title III, it is an ongoing program. But once the school gets the money, they know when the money runs out, they will have to get local money.

Would you expect there would be other money for other bilingual programs? How about the ones that have been operating for 5 years? Do you think we should continue to fund them at the rate as before?

Mrs. de Inclan. Yes. I am saying that. If we start funding them, at the kindergarten level, you can hardly say a child in fourth grade has completely refined his command of languages. We are talking about the Anglo child when we are talking about bilingual education. Would your own child in a school learn Spanish, or Chinese enough to interact within 5 years?

Mr. Quie. The Federal Government is not going to pay the total cost of bilingual education for every child in America. If the Federal Government is going to provide a bilingual education for every child, there are a lot of us in the Scandanavian countries who would like to get that free for our children, too, because we went beyond that and have not kept up with those proficiencies in our families before. Look at all of the priorities of Federal expenditures. So that is not going to be the highest priority. You said it cost about $60 per child for bilingual education.

Mrs. de Inclan. In addition to regular education.

Mr. Quie. And you also indicated compensatory education is not something you are talking about. So the $60 would be on top of the compensatory education as well?

Mrs. de Inclan. Correct.

Mr. Quie. How much do you think the Federal Government ought to assume and how much should the State and local government contribute?

Mrs. de Inclan. The State and local governments are already assuming a certain portion of that because those children are getting ESL, English as a second language, from the regular faculty. So what we are doing is training regular faculties to teach ESL. This is a very cheap figure, a very low figure, simply because of the commitment of this particular school system to bilingual education.

So principals who have been brainwashed, or are committed to bilingual education, what they are doing is, every opening, regular opening that they get, they fill with a bilingual teacher. They then can have bilingual education. But you need to get to that point. You do not have many local school systems who have recognized the need for doing this. This is why it has to be initiated by the Federal Government.

Mr. Quie. I was going to pursue that but since you brought it up, once the bilingual teachers have become developed, is there any necessity then for the Federal Government putting any money into the program?

Mrs. de Inclan. Yes. It has to keep up that maintenance because there is what we might say need for teacher training and need for evaluation and the local school system cannot foot those bills. It has, as you have so very well mentioned, so many other special programs that have to be focused on and it has to fund these as well. Again, I will point out to you the fact that local school systems are governed by boards which are elected and they are elected by tax-paying groups and the minority groups do not make up the greater tax-paying groups. So boards of education are not always aware of the needs of bilingual groups or other than English speaking becoming bilingual.

Mr. QUIE. I note there is the same situation here in Congress.

But again to my question on the $60, are you saying that whole $60 has to be picked up by the Federal Government or it will not get picked up?

Mrs. DE INCLAN. Yes, as a minimum. That is a drop in the bucket. We are talking about, in that particular school system, only 7,000 kids really involved in a bilingual school organization where you have instruction mediated through two languages for the two culture groups. We are talking then about 40,000 kids receiving instruction in their vernacular, namely Spanish, and 20,000 kids receiving instruction in English SL in 187 schools. Optimally, we would like to make it possible for many other schools to become bilingual schools but we cannot because we do not have the Federal aid to make this feasible.

Mr. QUIE. I would like to pursue further, but I know the others would like to ask questions.

Mrs. CHISHOLM. Mr. Biaggi?

Mr. BIAGGI. No questions.

Mrs. CHISHOLM. Mr. Lehman?

Mr. LEHMAN. Our school system is fortunate to have Mrs. de Inclan serve in her capacity and a great deal of progress has been made. I just wanted to ask two quick questions.

When I go into certain areas of my community, and many of these are elderly, ethnic groups, Jews, Italians or other groups, they say to me, when my parents came over to this country, or when I was a small child, or when I was born into a family on the east side of New York, I did not get any schooling to maintain my culture from Poland or Italy. Why is it now imperative that we spend tax money to preserve cultures of Spanish-speaking people coming into Florida?

They feel if they made it in a singular linguistic society, why can't others. I have a difficult time answering the question.

Mrs. DE INCLAN. For the same reason we need so many other things that we didn't in the early 20th century, our life has become so much more complex and has made so many more demands on us for fuller living and even for survival. It was not important at that time for Italians because the United States did not happen to be conducting so much business with the Italians. When their children went to get a job, it was not required that children speak Italian to get a job but that is not the case now. As you well know, the job openings in Florida now demand Spanish-speaking ability, and that is a fact of life.

Mr. LEHMAN. What will this do for the young people in this country now? I visit Israel, Sweden, I cannot speak Dutch but yet these young people in those countries can speak English. Will your program enable the run of the mill American child to be able to speak one other language as the people in those countries speak English?

Mrs. DE INCLAN. Well, again, I throw the question right back at the community. The community will have to determine what its priority needs are in regard to languages.

Mrs. CHISHOLM. Thank you.

Mr. Meeds?

Mr. MEEDS. I was very struck with your testimony, as all the members were, and I think your dedication is very obvious and we are very fortunate to have a person such as yourself serving in this capacity. Having said that, I may take issue with some of your figures.

Mrs. DE INCLAN. I am very bad with figures.

Mr. MEEDS. You indicate bilingual education is approximately $60 more. If that is true, then we certainly dealt with very few people with the appropriation of $35 million. In bilingual programs involving approximately 11,000 children, that comes out to approximately $350 per student. So I have problems with your figure of $60 as being adequate.

Mrs. DE INCLAN. If you think of $60 in addition to per pupil cost for 5,000,000 children you will see that a minimum of $300 million will be needed and what are we getting? $35 million. And you have been kind enough to suggest we get $135 million, and even that is merely a drop in the bucket. We need a lot more money if we are to really and truly meet the needs.

Mr. MEEDS. If we use even one-half of the amount suggested by the San Francisco school system and less than what we are presently paying at the Federal level for bilingual programs per student, it is still going to take somewhere near $750 million to $1 billion per year to meet the needs of Americans in need of bilingual education. Yet the administration is suggesting it be cut to $35 million, which is their request for fiscal 1975. You are, I am sure, aware of that?

Mrs. DE INCLAN. Yes, and that is why I am so concerned.

Mr. MEEDS. Do you agree, it is woefully inadequate?

Mrs. DE INCLAN. Very definitely.

Mr. MEEDS. There are some bilingual aspects to other programs. I think the Education Professions and Development Act has bilingual funds in it as well as in the Emergency School Act. Do you feel you have any authority as an advisory board over those funds?

Mrs. DE INCLAN. No, and this is exactly what I mentioned in my testimony earlier. This is a matter the committee has to address itself to, a coordination of all these other acts that bear on bilingual education.

Mr. MEEDS. You stated you felt bilingual education is primarily a Federal responsibility. Is that pretty much a majority of your board's opinion?

Mrs. DE INCLAN. I feel it is a totality.

Mr. MEEDS. I am afraid you will find yourself at loggerheads with people who appointed you. We get an indication the Office of Education is going to weasel on this subject and they were indicating even before we asked them that they felt it was primarily a local responsibility.

Mrs. DE INCLAN. We are ready for the fight.

Mr. MEEDS. Very good. You said you hoped to have the support of the Congress and the administration. I might say those things might be mutually exclusive. You might get the support of the Congress, but not of the people who appointed you. Even they blunder and appoint good people like you.

Mrs. CHISHOLM. I would like to include in the record a policy paper. The recommendations are quoted differently. Would you let us have a copy of that for the record?

Mrs. DE INCLAN. Yes.

[The document referred to follows:]

Position Paper on Bilingual Education

RATIONALE FOR THE FEDERAL ROLE IN BILINGUAL EDUCATION

> In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs . . . (From "Declaration of Policy," Title VII of the Elementary and Secondary Education Act of 1965, Section 702.)

The continuation of a Federal leadership role in Bilingual Education is necessary at this time in order to most effectively implement the policy stated above. During the few short years of the program's existence, the Federal government, through the United States Office of Education, has served as a facilitator, advisor, and technical developer to schools having a high concentration of eligible children in planning for and taking steps leading to the development of programs designed to meet the special educational needs of such children.

It is the thesis of this paper that at the present time this Federal role remains essential, particularly in view of the still relatively embryonic developmental stage of bilingual education throughout the Nation. Below are the traditional arguments relating to a greater role for the Federal government in education, in general, presented from the standpoint of the need for a continuing Federal role in bilingual education.

National concern

Our nation's welfare is directly affected by the success of the educational systems of this nation in providing a trained populace to meet present and future crisis facing the nation. This attitude was illustrated most vividly by the national response to SPUTNIK in 1957, which resulted almost immediately in passage of the National Defense Education Act in 1958, with its concerns for subjects considered vital to the national welfare; e.g., mathematics, science, and *foreign language*. A host of subsequent bills illustrated the national concern for the educational disadvantaged and economically poor which led to the Elementary and Secondary Education Act of 1965 with its focus on compensatory education, including Title VII of that Act which resulted in the establishment of the Division of Bilingual Education in the United States Office of Education.

Stemming from this position is the argument that our nation, as a whole, is directly affected by whatever happens in any sector of the nation. Failure to meet the needs of any sector of our population, for example, the limited English-speaking communities of our society, presents a problem for the whole society. It has been shown that failure to meet these needs contributes to the school dropout problem which in turn has a direct correlation to the increase in juvenile delinquency in this nation and to the number of individuals and families added to the welfare roles. This illustrates only one instance of an educational deficiency that affects national welfare and has caused concern regarding the efficacy of education. For this reason, bilingual education is seen as more than a local responsibility and a State function; it is recognized as a national concern.

Mobility of the people

Closely related to the national concern for bilingual education is the fact that we are one of the most mobile people ever to exist on this earth. It is estimated that each year 40 million people change their addresses and approximately 1 million youngsters cross State lines. Added to this are the large numbers of persons with limited English-speaking ability who follow the crops as migrant workers. Local and State educational agencies face a most arduous task in attempting to meet the unique educational needs of such a mobile population. Without Federal leadership and Federal assistance, this task becomes overwhelming. Thus, it can be seen that the individual child, through no fault of his own, may receive an inadequate education. In moving from State to State that child reveals an institutional problem which the receiving State did not create and yet has a clear responsibility to meet. From these observations it can be quickly reasoned that, since mobility is a fact in our society, place of residence should not be allowed to have a deleterious effect on a child's educational opportunities.

Local control

Local control represents the first and strongest argument for both the proponents and the opponents of Federal involvement in education. Historically our schools have developed as local institutions and there has consistently been great concern on the part of individuals connected with education that it remain a local concern.

It has been demonstrated that this concern is shared, moreover, by the United States Office of Education and the great majority of those in both houses of the Congress. There are few individuals, it is argued, who believe that local control of education will be lost as a result of Federal involvement. Experience in administering the Bilingual Education Act has demonstrated, that it is quite feasible for the Federal government to administer this legislative program without inhibiting local control. As a matter of fact, there is a great deal of evidence to illustrate that this Federally funded and Federally administered program has enhanced the bilingual educational program at the local level without having any negative impact on local control.

Equalizing educational opportunity

All three branches of government have taken significant steps over the years in support of the concept of equality of educational opportunity throughout the Nation. At the present time there are sections of our country where the unique needs of students of limited English-speaking ability are not being met, thus depriving these youngsters of an equal educational opportunity. It is extremely difficult, if not impossible, for many local school districts to redress this problem alone at the present time due to the large number of eligible children, the lack of State support, the limited amounts of local financial resources and the tasks relative to research and development of curriculum, testing instruments, teaching methodologies, and teacher training. It is, therefore, incumbent upon the Federal government to assist in redressing this problem.

Purpose of title VII, ESEA

The legislated purpose of Title VII, ESEA is to develop and carry out "*new and imaginative elementary and secondary programs* designed to meet the special educational needs of children of limited English-speaking ability." The Federal government, through the United States Office of Education has, been during its many years of experience in promoting and encouraging educational innovation and through its wide contacts with and within all of the States, our is in a unique position to provide the leadership and expertise necessary to the accomplishment of this purpose. This leadership role is undergirded by the philosophical belief that this nation's greatness is enhanced by its culturally diverse population.

A PHILOSOPHICAL STANCE

The United States Office of Education recognizes that American society today is culturally diverse. The long cherished "melting pot" theory has come to be considered a myth and the concept of cultural pluralism has been endorsed by many scholars as a fact of life. This recognition of the concept of cultural pluralism reflects an understanding of and an appreciation for the differences that exist among the nation's citizens. As pointed out by the American Association of Colleges for Teacher Education, cultural pluralism is a "positive force in the continuing development of a society which professes a wholesome respect for the intrinsic worth of every individual. It is more than a temporary accommodation to placate racial and ethnic minorities. It is a concept that aims toward a heightened sense of being and of wholeness of the entire society based on the unique strengths of each of its parts." There are significant numbers of Americans who speak Spanish, German, French, Portuguese, Italian, Chinese, Japanese, or one of at least twenty other languages in their homes. In fact, the 1970 Census revealed that there are over 7 million people between the ages of 3 and 18 who speak a language other other than English in the home. We are not a monolingual/monocultural society. Education in America, therefore, must be geared toward the multilingual/multicultural needs of our dynamic society. In accordance, the United States Office of Education believes that bilingual/bicultural education in the United States is a means of providing equal educational opportunity for all Americans.

The aim is to insure quality educational opportunity by providing instruction in the language the student knows best so that learning in other subject areas will progress concurrently with language development. In short, a bilingual/bicultural educational program is one in which two languages—English and the native tongue—are used as a medium of instruction and in which the study and appreciation of the cultural background of students is incorporated into the curriculum.

Noting the limitation of Federal, State and local resources, the above global definition must by necessity be reduced to an operational reality. Therefore, we endorse the philosophy of a "full-bilingual/bicultural" approach operating within the intent of Congress and recognizing the economical constraint under which we operate. An approach which would effectively manifest itself in a well-planned, concrete educational program beginning at the pre-school level and continuing throughout a child's elementary school career; being maintained through Language Arts courses in the student's dominant language at the secondary level. By adhering to this philosophy, Federal resources can be realistically focused on (1) material development, (2) pedagogical strategies, and (3) pre-service and in-service training of teachers at the elementary and secondary school level. It is believed this approach will foster an appreciation of our cultural diversities, enhance the self-image of the non-English-dominant child, improve academic achievement and elevate the quality of instruction for all children.

The United States Office of Education believes that the philosophy inherent in bilingual/bicultural education, as defined above, is educationally sound and economically feasible and the advantages flowing from this approach are of great significance in meeting the unique educational needs of a large portion of American society.

The advantages and significance of this approach can be more specifically illustrated through defining the operational objectives of the Federally sponsored Bilingual Education Program centered around this approach.

OPERATIONAL DEFINITIONS

The objectives of bilingual education for participating children are as follows: (1) literacy in two languages for all children, (2) an opportunity for all children to achieve academically regardless of the home language, (3) ability of all children to feel comfortable in the bicultural environment, and (4) the appreciation of diverse cultural backgrounds by all children.

For all parents, bilingual education will provide opportunities for meaningful participation in the school program and will promote a commitment to the values of diverse cultural backgrounds.

The characteristics of bilingual education programs may be summarized under the headings of characteristics of the instructional program, characteristics of the instructional materials, characteristics of the instructional staff and characteristics of community and parent participation.

A bilingual education instructional program employs two languages—the home language of the children from the non-English-dominant environment and English—in instruction. The use of both languages includes instruction in the language arts of both languages as well as the use of both languages as media of instruction in order subject areas for all children in preschool, kindergarten and the elementary grades and secondary. In port-of-entry schools where students speaking languages other than English enter at the intermediate and secondary levels, a bilingual education program uses both languages in appropriate instructional areas. In other schools at the intermediate and secondary levels, instruction is provided in the language arts of both languages. The bilingual education classroom environment is one in which children from diverse cultural backgrounds learn to appreciate and value each other's unique contributions.

A variety of high quality materials in both languages in subject areas to be taught are present in bilingual education classrooms. In addition, materials are used which have been specifically designed for the linguistic and ethnic groups to be served. Materials in English and the other language should be mutually reinforcing but not identical.

In a bilingual education program, the instructional staff have appropriate levels of language competence in the language(s) of their constituents. They have had specific training and/or experience in using the language(s) as the medium(s) of instruction in the subject areas in which they teach. They have understanding and appreciation of the needs and cultural heritage of all the children. As a part of the program, the instructional staff received continuing in-service training designed to assure smooth working relationships among the staff and a mutually reinforcing role for both languages.

Community and parent participation in a bilingual education program is characterized by (1) provision for consultation concerning the planning, implementation and operation of the program, and the project management and the community advisory group, (2) provision of regular opportunities for observation of the program and participation in the evaluation of the results for the children for parents and community representatives and (3) encouragement of participation in a variety of school activities by parents and recognized leaders of the participating linguistic and ethnic groups. These individuals provide the program with authentic linguistic and cultural input.

Children who are eligible to participate in bilingual education programs enter with varying language skills in one or both project languages. It should be noted that children from minority language backgrounds frequently are reluctant to speak the home language, especially with strangers, but will display considerable ability once it is established that the home language is respected and utilized in the school environment.

In addition to the above, children from other linguistic and ethnic backgrounds, including children who are dominant in English, participate in bilingual education programs in the approximate porportions in which they are included in the total enrollment of the school or schools in which the project is located.

Having embarked upon a philosophical path, defined in operational terms, we now need criteria to assess the impact of the Federal role in raising the success factor in the target population.

CRITERIA FOR ASSESSING THE FEDERAL IMPACT ON BILINGUAL EDUCATION

There are a variety of aspects that need to be more closely examined in determining the impact of the Title VII program described above on education in this country. The impact should be examined in the light of the objectives of the program which have been drawn from legislative intent. To reiterate, the purposes of the program as defined in the Act are:

1. To improve the educational achievement of children whose dominant language is other than English.
2. To plan and develop new and imaginative programs and to test the programs to which would accomplish the above.
3. To effect a change in the educational systems which will institutionalize the above processes.

Impact on the individual child.

The Bilingual Education Program should be assessed to determine the educational achievement impact which this program has had on participating students. This may be accomplished through a study assessment and comparison of matching experimental groups and control groups to determine achievement, dropout rate, and the number of students attending institutions of higher learning.

Criteria for judging the success of this program depend, to a large extent, upon the program goals and the approaches and methodologies utilized to achieve said goals.

Based upon the above considerations, (the criteria for judging the Federal impact on students' academic progress) the following are some quantifiable measures which may be taken into consideration:

1. Performance at early elementary grades of students in subject content areas utilizing whatever the language used as a medium of instruction compared to similar student population in prior programs.

2. Comparing the performance of these same student populations with English-dominant students in the same geographical area.

3. For the grade levels four to six, performance at grade level in basic subject areas as measured in English and compared with similar student populations of previous years then comparing these results with results of English-dominant students in the same district or geographical area.

4. For elementary grades, performance using selected standardized instruments and compared against national norms.

There are certain affective factors to be considered in measuring attitudinal influences and changes toward society and self. Minimal academic achievement should not be the sole factor in determining success and a positive self-image.

Quantifiable measures for judging the success in school of the individual child:

1. The average daily attendance as compared with matching population groups within the school district.

2. Understanding of his own history and culture and that of the majority culture as measured by project developed tests and compared with other population groups outside the project area.

3. His participation in the life of school outside the regular classroom activities determined by unobtrusive measures and compared with other population groups outside the project area.

4. Dropout rate as compared with similar population statistics in previous years and as compared with current English-speaking population.

5. Number of students who enter college as compared with statistics of similar population groups in previous years and as compared with English-speaking groups.

Impact on the educational system

The legislation was intended, in providing for the planning and development of new and imaginative programs, to effect widespread change within the total educational system for children within communities where a language other than English is spoken. Whereas the school's ability to produce a more suitable program is judged on the performance of students within the projects, the Federal impact is measured on how widespread the changes were outside the project area.

Project school district

Suggested quantifiable measures for judging impact on the project school:

1. The number of schools or additional classrooms where the program has been replicated with local, State, or other Federal funds.

2. The number of members from the minority community who have been employed in professional positions at all levels within the school system and the extent to which the schools provide for the training of paraprofessionals via career-development as compared to the number employed prior to Title VII support.

3. The number of community members who have been trained within the system or who received degrees as compared with the number prior to Title VII.

4. The number of parents actively participating in educational activities compared with the number prior to Title VII.

Changes in the total educational system

1. The number of school districts setting up bilingual programs with funds other than Title VII as compared with the number prior to Title VII.

2. The number of States which have passed legislation to support bilingual education.

3. The offerings of colleges and universities in bilingual education as compared to the offerings prior to Title VII.

Impact on educational supporting groups

The complexity of changes in education such as is inherent in new and untried programs require putting into play a whole set of institutions, agencies, and groups whose participation is essential to its success. Programs must be revised continuously and groups must play a role if the program is to become institutionalized. Suggested criteria for judging the institutionalization of bilingual education:

1. The number of publications, resolutions, or other involvement on the part of community groups in bilingual education as compared to the number prior to Title VII.
2. The number of new institutions, departments, studies or conferences sponsored by professional societies as compared to the number prior to Title VII.
3. The number of commercial publishers devoting time to the productions of bilingual materials as compared to the number prior to Title VII.
4. The number of college students enrolled in colleges and universities preparing for a career in bilingual education as compared to prior to Title VII.

The criteria discussed above should form the basis for the selection of present and future bilingual education projects funded through Title VII, ESEA. The historical perspective leading to the current "State of the Art" in bilingual education is discussed below.

STATE OF THE ART

The original legislation for Title VII provided funds to local school districts "to develop and carry out new and imaginative elementary and secondary school programs designed to meet the needs of children of limited English-speaking ability." Since 1969 the Office of Education has awarded grants to local school districts to develop and refine programs that were designed to meet local needs and in turn identify those practices and strategies that provide change in academic, change in parental participation, change in classroom instruction, change in administrative control and most importantly change to insure a quality education for public school students.

The legislative requirement that programs designed under Title VII be new programs which meet unique needs has encouraged the development of programs which differ radically from the traditional education program. Since 1969 funded programs have concentrated on the primary (K–3) grade level sequence. Although this sequence has been a priority, there are programs that serve children on different level combinations of elementary, intermediate and secondary schools.

Characteristics of identifiable models

Major areas that can be identified as common characteristics in successful programs are: Program Design, Staff Training, Instructional Materials, Parental and Community Participation and Evaluation.

Programs funded under Title VII since 1969 have illustrated the need to demonstrate more than one program design. The program design will tend to reflect the educational needs of the clients served. For example, the early elementary programs for the Spanish-speaking child of the Southwest will determine the medium of instruction: Spanish and English. The Navajo child of Arizona will receive basic skills through the medium of his home language and English. Basic program designs under Title VII reflect the dominant language of the student to be served along with English. The model bilingual educational programs have locally determined the best use of both languages; the percent of time for each language and the reasonable progression toward equal use.

Title VII programs have demonstrated program design that reflect: (1) the languages of the child when he initially arrives at school; (2) traditional grade level sequence; (3) ungraded classrooms; and (4) the experienced student, one who arrives at the port-of-entry school system with learning skills that have been developed in a language other than English.

Other programs funded under Title VII ESEA demonstrate good staff development components For example, local school districts have worked with local institutions of higher education to provide inservice training for the Title VII staff during the school year. Inservice training is provided for professional staff directly involved in the daily programs. This service is developed cooperatively by the administrators of the Title VII programs and the representatives from the college or university. When under subcontractual agreements, the service offered is identical to the needs as emphasized by the local school district personnel. In no case is the program a service designed exclusively by the institution of higher education. Local colleges and community colleges as required by the local educational agency offer services or courses designed to fulfill the requirements of the classroom aide and other paraprofessional staff.

Curriculum development for adaptation has been practical in many of the Title VII programs but in no way complete. Curriculum packages have been adapted under the leadership of specialists with the Title VII programs or through special services to the project by professional experts. Development of these curriculum packages have been in teacher-made format. Few District efforts have been formalized and adopted by commercial publishers. Local Title VII efforts are being identified by the staff at Austin, Texas at the Dissemination Center.

Some Title VII programs have been successful models in the area of parental and community involvement. This component is required in all Title VII programs. Some programs have been exceptionally successful in this area. The most successful programs have been those that have initiated the program when the community and parents have been well advised of the intent and benefits of the bilingual/bicultural program.

Parents participate directly in Title VII programs as volunteer paid personnel and in an advisory capacity. Parents of younger children often serve on a volunteer basis in the classroom or as assistance to the regular instructional staff on field trips and during regular school hours. Parents often demonstrate learning activities in the classroom as part of the cultural heritage components. Parents have participated in phases of evaluation after receiving training through the cooperative efforts of the skilled evaluators.

Title VII programs have demonstrated successful components in the area of evaluation. When Title VII was initially implemented during 1969, it was the policy of the Bureau of Elementary and Secondary Education to implement extensive evaluation requirements which included complete evaluation designs as well as provisions for an independent educational audit.

Some Title VII programs were successful in the areas of evaluation and educational auditing and have continued these practices for an entire project period. These processes included identification of the program needs, the objectives for meeting these needs, the most advantageous methods of achieving these goals and methods to verify the success.

These models have been identified and the achievements have been documented throughout the project period.

Materials/curriculum development

Two major attempts were made by the United States Office of Education in 1970 to identify need and develop positive strategies to meet the needs in the area of materials and methods.

The Spanish Curricula Development Center was established to create primary block Spanish curricula to support Spanish-English bilingual education programs. The Center has been responsible for production, field testing and revisions of 48 multidisciplinary, multimedia Spanish curricula kits; for the first, second and third grade levels. Each kit is designed as a two week unit and contains materials for teachers and pupils conducive to the development of six stands in Spanish: Spanish Language Arts; Social Science; Fine Arts; Science; Mathematics; and Spanish as a second language. First grade materials have been completed. Second grade curricula were field tested in 25 bilingual education projects during 1972. In conjunction with this effort, a curriculum adaptation network of four centers has been funded cooperatively by the United States Office of Education and the Randolph Hearst Foundation to assure that the curricula produced will be suitable for all Spanish-speaking ethnic groups in the country, including Mexican-American, Puerto Rican, Cuban and the multi-ethnic Spanish-speaking school children found especially in the Mid-west. Each of the centers will provide expertise and supplementary materials for the production of four district versions of the curricula.

The Materials Acquisition Project at San Diego, California has been with the location and dissemination of materials published in Spanish and Portuguese in other counties. The materials are to be tested and evaluated in over 500 classrooms of Title VII projects. When field testing is completed, a curriculum will be published and made available to school districts. The curriculum will be so indexed as to inform the teacher of the equivalency of foreign published materials to American publishers, thus reducing the time and expense of the individual school district of attempting to adopt its own material.

The Dissemination Center for Bilingual/Bicultural Education at Austin, Texas has been directed toward a great many tasks such as the following:

(1) To determine all project-developed materials under Title VII, ESEA which are suitable for duplication and distribution.

(2) To reproduce and distribute project-developed materials on the basis of established needs of project areas as determined by project requests.

(3) To survey instructional materials available commercially in the United States, including those being used or adapted by Title VII ESEA projects.

(4) To publish monthly annotated listings of suitable project-developed, as well as commercially-developed materials.

(5) To perform demographic data collection and analyses on Title VII ESEA projects in progress which are viewed essential by the United States Office of Education.

Staff development—Professional and paraprofessional

Since the beginning of Title VII programs in 1969, a requirement component of any program design has been that of staff development. By necessity, funds have been made available in program budgets for inservice training costs. Funds from the programs have been used to train administrators, teachers, and paraprofessionals to work more competely in the local program. Course offerings have been in such areas as cultural heritage; the learning and cognitive styles of children of different backgrounds; the use, adaptation, and production of materials in the dominant language of the child; and instruction in the language of the community. The courses have been offered by staff personnel, consultants who are experts in the different areas, or by colleges and universities in cooperation with the local school district.

In addition to the inservice training for teachers, training for members of the community or parents is often included in project plans. In many of the Title VII programs, training of the classroom aide has been emphasized. In some cases the course work done by the paraprofessional has led to certification of skills.

There have been no Title VII funds expended to support students earning degrees or advanced degrees. Many teachers have been inspired to parsue advance study but financed by other sources. Many Title VII directors have pursued further study and received administrative credentials as a result of working in the Title VII programs.

Staff development programs are being financed from various sources in addition to Title VII, ESEA. Among the more successful in enabling Indian personnel in the Title VII programs to qualify for certification is the Career Opportunities Program funded from the Education Professions Development Act. Other sources are the Teacher Corps programs, community action programs and Headstart. Ford Foundation and Stanford University have also offered such assistance.

PRIORITIES

With a view toward continuing the utilization of the criteria discussed previously and in efforts to build upon the present "State of the Art," the following priorities are proposed for the future selection of projects; pedogogical strategies development of curriculum materials; planning and implementation of preservice and inservice training programs; involvement of parents and the community and in determining future research and evaluation activities:

Priorities for selection of projects

1. Continuing developmental projects at the preschool, kindergarten and elementary levels which show particular promise in meeting the needs of all groups presently being served.
2. New projects in the preschool, kindergarten and elementary school for groups not yet served, including additional American Indian and Eskimo groups, in accordance with the numbers of eligible children and desire of the groups.
3. New projects for major language groups, i.e., Spanish, French, Portuguese, Chinese, etc., in the preschool, kindergarten and elementary school in geographic areas not yet served by projects.

4. Continuing or new projects for all language groups offering bilingual instruction on all subject areas in the intermediate and secondary schools where studentst who do not speak English enter school at these levels.

5. Continuing or new projects developing innovative programs at the intermediate and secondary levels in language arts and cultural heritage for groups being served by programs at the elementary level.

Priorities for materials development

1. Completion of materials development and adaptation and completion of parallel curricula efforts in the various subject areas for preschool, kindergarten and the elementary grades for all language groups presently being served.

2. Development of curriculum materials in all subject areas in preschool, kindergarten and the elementary grades for language groups not yet served in which new projects are initiated.

3. Completion of materials development and adaptation efforts in the language arts for the intermediate and secondary levels for language groups being served by programs at the elementary level.

4. Completion of materials development and adaptation and parallel curricula development efforts for all subject areas in the intermediate and secondary levels for language groups from which children who do not speak English enter school at these levels.

Priorities for preservice and inservice training of administrative and instructional staff

1. Development of a variety of self-teaching materials designed to orient administrative and other staff to the philosophy and rationale of bilingual education and to help instructional staff improve their skills in understanding and working with bilingual children in using the home language of the children who are not dominant in English as the medium of instruction, and in developing a mutually reinforcing role for both languages.

2. Development of model bilingual teacher education programs in a number of institutions of higher education serving various population groups eligible for bilingual programs in the areas of greatest geographical concentration. Programs should be addressed to the needs of young people preparing for bilingual teaching careers, of community people in career ladders leading from paraprofessional operation and evaluation of bilingual education projects, including model by-laws.

3. Development of materials with suggestions for parent and community participation in classroom and other school activities.

4. Development of several model adult education programs designed for parents of children participating in bilingual education programs

Priorities for research and evaluation

1. Identify and validate a minimum of ten exemplary bilingual education projects using specific criteria for each major component.

2. Develop objective techniques for determining language dominance and bilingual potential of children from the groups eligible for bilingual programs.

3. Develop techniques and instruments for assessing academic progress in the home language of children from non-English dominant environments.

4. Develop techniques and instruments for assessing progress in the language of children from non-English-dominant environments.

RECOMMENDATIONS

Listed below are recommendations presented in light of discussions within this paper and in recognition of the need for an effective economical, realistic, and educationally sound Federal role in the implementation and enhancement of Bilingual/Bicultural Education.

1. It is recommended that we endorse a bilingual/bicultural approach which would manifest itself in a well-planned educational program beginning at the preschool level and continuing throughout a child's elementary school career; being maintained through Language Arts courses (i.e.—composition, reading, journalism, etc.) in the student's dominant language at the secondary level.
Agree [ ] Disagree [ ]

2. Using the above philosophy it is recommended that the five year funding limitation be eliminated and the program be moved into a service mode of operation as soon as possible. Agree [ ] Disagree [ ]

3. A complete set of materials in the basic subjects for the elementary school curriculum does not presently exist. It is recommended that the Office of Education develop priorities for further development and plan for funding such development on a national basis. Agree [ ] Disagree [ ]

4. Upon the accomplishment of the above, it is recommended that a national plan be developed for the efficient dissemination of materials to include the feasibility and mechanisms for the involvement of commercial publishers in accordance with the Office of Education copyright policy. Agree [ ] Disagree [ ]

5. It is recognized that a shortage of trained bilingual education teachers exists and the expected shortage due to the expansion of the program leads to the recommendation that we increase teacher-training efforts by setting aside funds for preservice and inservice training of elementary school teachers. Agree [ ] Disagree [ ]

6. While inservice training of employed teachers has been effective in improving classroom strategies of those in bilingual classrooms, the need to prepare those wishing to specialize in bilingual education at the undergraduate level remains. It is recommended that grants to colleges and universities (in cooperation with local educational agencies) be made to install model preservice programs. Agree [ ] Disagree [ ]

Additional Recommendations for Revision of Regulations

1. That the Commissioner of Education communicate to the Department of Health, Education and Welfare that the legislative limitation of $3000 or AFDC as an index of poverty be raised using the Department of Labor statistics.

2. That the Commissioner of Education recommend a change in ESAA regulations pertaining to the order of skills acquisition in order to provide uniformity between that legislation and ESEA regulations in 123.12(a)3(i).

3. That Section 123.12(a)2(e) on *dissemination* be approved as read and that the issue be discussed at a future date should this requirement create an excessive demand made upon directors of existing projects.

4. That *standardized achievement test scores* be deleted from 123.12(b)5.

5. That in Section 123.16(c) referring to advisory groups the word *may* be changed to *shall* and that the words *and others* be added after *secondary school students*. This would then require the involvement of civic and community organizations.

6. That "projects providing services that may be utilized by children residing outside the funded school district shall involve the bilingual education expertise of consultants representative of the culturally different groups of the children to be served by the program throughout the nation," be added in section 123.16(b).

7. A motion was then made to endorse the revision to the proposed rules and regulations as amended.

Comparison of the Test Scores in Reading and Math Between a Full Bilingual School Organization and Five Other Schools of Comparable Population-Grades K-6

Comparison of the May 1973 test scores in reading and math on the Stanford Achievement Test between the Coral Way Elementary Bilingual School in Miami, Florida and five other Miami schools of comparable population without a Bilingual School Organization.

CORAL WAY BILINGUAL SCHOOL

	Grades					
	1st	2d	3d	4th	5th	6th
Enrollment	158	168	229	206	276	243
Number of pupils tested	90	155	210	187	257	228

ACHIEVED MEANS

READING

	Population percentages			Grades				
	Black	Spanish	Other	2d	3rd	4th	5th	6th
Coral Way	1.2	84.8	14.0	2.81	3.31	4.50	5.63	6.98
School:								
A	1.5	81.0	17.5	3.00	3.64	4.32	5.39	7.67
B	.6	92.1	7.3	2.50	3.31	4.02	5.86	6.38
C	.1	70.1	29.8	2.80	3.65	4.22	5.72	7.39
D	1.0	87.4	11.6	2.48	3.26	3.83	5.02	6.55
E	1.5	84.4	14.1	2.51	3.20	4.23	5.43	6.48

MATHEMATICS

	Population percentages			Grades				
	Black	Spanish	Other	2d	3d	4th	5th	6th
Coral Way	1.2	84.8	14.0	3.02	4.73	6.09	6.81	8.18
School:								
A	1.5	81.0	17.5	3.51	4.30	6.16	6.26	8.47
B	.6	92.1	7.3	2.86	4.18	5.55	5.88	7.28
C	.1	70.1	29.8	2.96	3.95	5.55	6.47	8.47
D	1.0	87.4	11.6	3.55	4.42	5.15	5.27	7.56
E	1.5	84.4	14.1	2.99	3.81	4.87	5.95	6.70

Mrs. CHISHOLM. Thank you very much for your testimony.

Our last witness is Mr. Nicholas Mastorelli, director of the North Hudson Community Action Corp., Hudson County, N.J.

We welcome you, Mr. Mastorelli.

STATEMENT OF NICHOLAS MASTORELLI, DIRECTOR, NORTH HUDSON COMMUNITY ACTION CORPORATION, HUDSON, COUNTY, N.J.

Mr. MASTORELLI. I feel bilingual funds should be spread out amongst other nationalities in view of the *Lau* v. *Nichols* case. I feel the other nationalities are being short-changed. I feel the blunt of it in my role. I am also president of all the antipoverty agencies in the State of New Jersey. When it comes to education, it comes around to the same thing, the bilingual funds are not adequately providing the means for other nationalities to move in stature. On a local level, we have tried our best.

I had the privilege of appearing before this committee several years ago because of the Cuban influx in our community. In two of the communities I was director of, we were fortunate enough to receive Cuban impact funds at the time they were needed. They made great strides in the area but again the other nationalities were being set aside. I feel the bilingual funds should be spread out amongst the other areas, as in San Francisco, amongst the Chinese; in my area, the Italians. They are coming to my office on a regular basis. On a part-time basis, we have been able to secure programs from Federal and State Government to help the local school districts meet the needs of the youngsters who are not being taken care of and who have the language barrier.

I have to agree with what Mr. Badillo said before, it is the numbers that count. Many friends of mine have grown up and not many of them made it in any case. I wish all the youngsters that come here in our area, which is predominantly a poverty area, had an opportunity to make it. Myself, had I not been an athlete, I would not have been able to go to college. Many times constituents who come to me beg for education for their children. I request this committee to see that the funds get spread around.

Mrs. CHISHOLM. Thank you very much. I can very well understand what it is you are saying to us this morning. Of course, we always receive so little funds to do the kind of job that needs to be done, but I said something yesterday that I am going to repeat here today. That is, to force some determination which will have to be made in the local communities, as to what they consider priorities in terms of that community being able to acquire additional funds via the bilingual act to help them to move out.

Second, it seems to me that one of the things we are going to have to do is to make evaluations and judgments on the basis of school reports, as to how the different children in those schools are faring.

For example, are the Italians attending that school constantly falling behind? Are these the ones that are not able to move on? Are the Spanish speaking children the ones at the very bottom of the barrel? In that instance because we do not have the moneys we need to give every group in the country the type of bilingual education necessary we shall have to set priorities as to who shall receive assistance.

It seems we are going to have to go to the community via the school system to make the determination as to where the funds will go.

Mr. MASTORELLI. Yes. I agree. We did receive these funds, the Cuban impact funds, and the schools had no choice but to take care of the Cuban youngsters because that was presenting a bigger problem at that time. But now the Italian youngster has been set back. The dropout rate is quite high. I am hearing this throughout the State from my other community action agencies.

Mrs. CHISHOLM. I understand what you are saying and I will make some recommendations to the committee as to whether or not this is the time to find out what is going on in the schools. We are going to have to face the problem headon because all the ethnic groups in the country are going to be desiring a portion of the funds.

Mr. MASTORELLI. I think you put it as best I have heard in a long time.

Mrs. CHISHOLM. Mr. Biaggi?

Mr. BIAGGI. I would like to welcome Mr. Mastorelli. It is a rare occasion when we have a representative from the Italian community. This morning we heard about the Franco-Americans. Many people do not know we have a Franco-American community. Mrs. de Inclan spoke as to the Spanish-Americans. We are attacking a multinational problem. I can see in the long run the solution will obviously require more money.

We have 4 minutes to go and, Madam Chairman, I would like permission to submit some questions to Mr. Mastorelli, submit questions in writing and have him submit his answers for the record. I ask unanimous consent.

Mrs. CHISHOLM. We have the time. Go right ahead.

Mr. BIAGGI. You address yourself to the Italian-American community. Two years ago, we had the whole concept that it should be an across-the-board basis. If it existed for one, it should exist for all. English as a tool is essential for every young person. Hence, the bilingual act.

Just yesterday, or the day before yesterday, I asked three officials of government whether or not we had any program for Albanians, Greeks or Italian extractions. They did not have the knowledge. I would have to conclude they do not have the programs. If they do, it must be miniscule in nature. I will ask you, have you ever applied for funds for bilingual education for the programs for the Italian-Americans?

Mr. MASTORELLI. Not with the thrust we should be right now.

Mr. BIAGGI. What was the reaction when you applied?

Mr. MASTORELLI. It was not needed at the time.

Mr. BIAGGI. Who made the determination?

Mr. MASTORELLI. The Office of Education here in Washington and several other people who were in the position to do so.

Mr. BIAGGI. The *Lau* v. *Nichols* case crystalizes the issue. But I think it was unfortunate to have a *Lau* v. *Nichols* case. Would you say that the offices which you dealt with and made applications to were indifferent?

Mr. MASTORELLI. Yes, I would, very much so.

Mr. BIAGGI. Would you go further and say they failed to cooperate?

Mr. MASTORELLI. I would, because maybe it was an innate feeling of men, but I felt because of the connotation that exists about Italio Americans, everyone was supposed to be not of good character——

Mr. BIAGGI. I will not be psychologically intimidated into being silenced as to causes of my people. My views are shared by many of my colleagues on this committee, namely Congresswoman Shirley Chisholm, with whom we have great dialogue in this area.

Do you have a dropout problem in your area?

Mr. MASTORELLI. Yes. It has been getting increasingly worse because the school administration is not addressing itself to the problem.

Mr. BIAGGI. The statistics had described the dropout rate as to Italio Americans as being quite high. Have you proscribed any programs?

Mr. MASTORELLI. There are some programs. They are not getting the thrust in the school districts and my rapport with the Superintendent of Schools is a good one because of my own personal reputation. The agency reputation does not suffice. Therefore, some of them are dropping out and even with the Neighborhood Youth Corps, they are dropping out of school. In the county I live in, it was the only county without a community college in Jersey. Just recently, we received a stipend from the Federal Government and a consortium was formed. There are many students trying to further their education in the evenings, which I did not think was right. I felt we were neglected and I am grateful to have the opportunity to appear and state this.

Mr. Biaggi. I find ofttimes there is apathy in the community. Do you find that, or is there an awakening?

Mr. Mastorelli. There is an awakening. Traditionally, Italians do not seem to get together and do not make loud noises as other groups do.

Mr. Biaggi. Though we get together at weddings and wakes.

Mr. Mastorelli. Yes, but now with the cry we are a country of immigrants, we are coming forward. I noticed it in the past year and a half because I was the director of the poverty program. They had to come to me. They could not even get some of the youngsters into the school districts. So many of the school superintendents stated they had no more room. Then we had to try to get them into private schools or parochial schools but the communities are poor. We do not get that kind of person who can afford private schools in our area. We are getting the immigrant who does not have the money to do this.

Mr. Biaggi. How many ethnic groups, communities do you have in your area?

Mr. Mastorelli. We have about 11.

Mr. Biaggi. How many programs do you have?

Mr. Mastorelli. Programs?

Mr. Biaggi. Right.

Mr. Mastorelli. On education?

Mr. Biaggi. Of course.

Mr. Mastorelli. Very few.

Mr. Biaggi. What do you mean? Be specific. You mentioned the Cubans before.

Mr. Mastorelli. And one or two of the school districts are doing the ESL programs, which does not meet the quota. I was talking to the superintendent of schools who also happens to be a mayor. He said he was having a problem because the Japanese and other ethnic groups are sending their executives to that community. He does not necessarily care about the bilingual aspect but he does care about the ESL, because he felt ESL would be their need and fit their school needs. But again, they are being pressured in that community.

We are readying for a fight to try to influence the people who have the money at hand.

Mr. Biaggi. Would you say it is a fair representation to state that the situation which faces the Italio community, faces other communities?

Mr. Mastorelli. Yes, There are many other communities that are suffering by the same token.

Mr. Biaggi. One must obviously conclude, when you talk about additional programs, you are talking about additional monies.

Mr. Mastorelli. No question about it. I have been involved with the Federal Government for some time and sometimes moneys do go down the drain, but I do not think they will in this case.

Mr. Biaggi. When is the last time you applied for moneys for the program?

Mr. Mastorelli. About 2 years ago.

Mr. Biaggi. May I suggest you reapply, let me know what you do and who you contact?

Mr. MASTORELLI. I will.

Mrs. CHISHOLM. Just one question. You have indicated that many of the Italian youth have dropped out of school. I was wondering about this because I am finding it is pertinent to other matters that some of these youth are dropping out of our school system, not necessarily because of the language barrier but because of the school system itself. The sense of attunement and sensitivity of needs of these youngsters causes tremendous frustrations and causes many of them to leave school.

In your community, can you establish for this committee that the dropping out of the American-Italian youth is based primarily on the language difficulty which has not been given its due attention or is it a combination of other factors which have to do with the lack of the kind of teachers necessary to address themselves to the youth?

Mr. MASTORELLI. I would be a liar if I said anything else. It is not primarily a language situation. It is part of the curriculum, the heritage. I will be fighting for this, but until lately, I hated the word "discrimination," and I notice strangely our youngsters who come here not knowing anything about this. I am addressing myself to Italio Americans at this point. They are feeling the effect of the media, the newspapers and everything else. As soon as he has "i-o-u" in his last name, he is not a good boy, belongs to the Mafia, or whatever.

Mrs. CHISHOLM. Mr. Biaggi and myself come from New York and he has been one of the leading Italians who has been trying to do a great deal insofar as this type of discrimination, as to the ending of people's names. I understand what you are saying.

Mr. BIAGGI. The chairlady shares my views and has been a sympathetic supporter of our views because what we are talking about is something fundamental.

Mr. MASTORELLI. I am just sorry there are only two people here to hear this. We all know about discrimination and I want to compliment the two of you for your views in the past and your assistance and everything else. If you keep that up, it will make for a better America.

Mrs. CHISHOLM. We want to thank you very much for your appearance before this committee, Mr. Mastorelli.

The committee stands adjourned.

[Whereupon, at 12:10 p.m., the subcommittee was adjourned until Thursday, March 19 at 9:30 a.m.]

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BILINGUAL EDUCATION ACT

TUESDAY, MARCH 19, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
Washington, D.C.

The subcommittee met at 9:55 a.m., pursuant to recess, in room 2175, Rayburn House Office Building, Hon. Carl D. Perkins [chairman of the committee] presiding.

Present: Representatives Perkins, Meeds, Chisholm, Bell, and Benitez.

Staff members present: Jack Jennings, counsel; Eydie Gaskins, special assistant; and John Lee, minority legislative assistant.

Chairman Perkins. The committee will come to order. A quorum is present.

First, let me state that it is a great pleasure to welcome our distinguished witnesses here this morning. I am particularly pleased that the State school superintendent of California is present. Wilson Riles is one of our great educators in America.

Back in 1967, when I took over as chairman of the House Committee on Education and Labor, I was in search for someone whom I felt had the best compensatory education program throughout America. I had known and observed Wilson Riles in 1965 and 1966 through his appearances before this committee. I decided that he was the man that I needed to assist me in running this committee, and I called on Wilson Riles to come to Washington. I not only called him once, but I called him numerous times. He finally flatly turned down Carl Perkins. I thought his contributions to the country were so great that no one could take his place here at that time. I was delighted that he was later elected State school superintendent of the great State of California. I have watched his record there over a period of years and, in my judgment, it is unsurpassed anywhere in America.

It gives me great pleasure at this time to welcome Dr. Riles. I am not going to make the introduction of Dr. Riles, though, I am going to yield to my colleague here, Al Bell. But, as I have stated, he is one of the best state school superintendents in America and I believe that his efforts in behalf of those children needing bilingual education are the best efforts of any State superintendent in the country. Since Wilson Riles became State superintendent, he has lent his strong support to the State legislation in California which now provides $5 million for bilingual education. This year he has given the support of the State department of education to new legislation which would provide $15 million for bilingual education. He has also formed the first bilingual education task force within the State of California to develop State leadership in bilingual education and to provide technical assistance to selected California school districts. Other States look to California for its leadership in behalf of bilingual education and they, in particular, look to the strong leadership of Wilson Riles.

Let me say in conclusion that Wilson Riles helped us formulate from the national level the adult basic education program and many other educational programs, including the Elementary and Secondary Education Act of 1965. No one made greater contributions than he.

It is a great pleasure for me, Congressman Bell, to have you welcome your State school superintendent here. I now yield to you to introduce your distinguished school superintendent.

Mr. BELL. Mr. Chairman, you just made my speech. But I concur in everything you said about our great superintendent of public instruction, Wilson Riles, and I want to say that he certainly is the leading educator in the Nation, and I must also say that he is one of the major political figures in our State. He is a major governmental figure in California and is one that we all look toward for leadership in all areas of education and in many other things, too.

It gives me a great pleasure, Mr. Chairman, to introduce to the committee our great educator, Wilson Riles.

Chairman PERKINS. I notice you have a prepared statement. Without objection your statement will be inserted in the record and you may proceed in any manner you prefer.

STATEMENT OF DR. WILSON RILES, SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE OF CALIFORNIA, ACCOMPANIED BY XAVIER DEL BUONO, ASSOCIATE SUPERINTENDENT FOR PUBLIC INSTRUCTION AND INTERMEDIATE EDUCATION PROGRAM MANAGER, SACRAMENTO, CALIF.

Dr. RILES. Thank you, Hon. Chairman Perkins, members of the committee. I would like to proceed by saying that I have a great admiration for Chairman Perkins as one of the fairest, most persistent and convincing chairmen that we have had in this field of education. I am honored to be able to testify before this committee.

Of course, Congressman Bell has been a supporter of education for a long time and I just want to give you my thanks and appreciation.

Chairman PERKINS. Likewise Gus Hawkins.

Dr. RILES. And I think Mr. Burton also is a very strong supporter from California.

Chairman PERKINS. I want to mention Phil Burton likewise.

Dr. RILES. I would like to introduce a member of my staff, Dr. Xavier Del Buono, who is associate superintendent of public instruction in California, and he will share with me and pick up any specific questions or detailed questions that the committee may have.

I want to thank you for this opportunity to testify on the issue of bilingual education. The knowledge and the experience we have gained over the past 7 years of Federal support for bilingual education, plus our own State program, have given us some insights which we believe are relevant to these proceedings.

I would like first to call your attention to the background of this problem as it exists. The U.S. Civil Rights Commission has recently released its report on the survey it conducted. That survey gives a rather grim picture of the need for bilingual education. Highlights from the Commission's report indicate:

The limited or non-English-speaking child has not fared well in this country in his educational career. For example, the reading levels of Spanish-speaking children have been consistently lower than those of Anglo children.

Thirty-seven percent of Mexican-American children in California will fail to graduate from high school. Six percent of these students have already left school by the eighth grade.

The enrollment of non-English background students in institutions of higher education is also disproportionately below their percentage of the population.

In the California State University and college system only 5 percent of the student body is Mexican-American despite the fact that this group comprises 19 percent of the State's population.

California has a deficiency in educational personnel prepared to teach the non-English-speaking child. Institutions of higher education have for years ignored the needs of this particular student population in their student training program. Only 2 percent—3,500—of California's teachers have Spanish surnames.

Until recent years there was an inordinately large number of non- or limited-English-speaking children in classes for the mentally retarded and educationally handicapped due to the language-related tests used for screening and placement.

These examples reflect past mistakes in addressing the educational needs of those who speak a language other than English—mistakes we are now attempting to correct.

We are vitally concerned that we have accurate assessment of the extent and characteristics of the limited or non-English-speaking population. We recently developed a language dominance index to facilitate reporting by school districts of the exact numbers of children who speak a language other than English.

While the figures may be adjusted in future years when greater sophistication in determining language dominance has been developed, they currently indicate that we have approximately 50,000 children in our public schools with no comprehension at all of the English language and approximately 150,000 more with but limited comprehension of English. The majority of these children speak Spanish, Portuguese, Tagalog, Cantonese, or Japanese at home and are unable to function in the English environment of the classroom.

Every day in California additional non-English-speaking people enter the State from Mexico, Hong Kong, and other areas. To ignore the educational needs of these children is to deny them that which is the fundamental right of every child—equal educational opportunity.

While the Mexican-American child is the one who comes first to mind when we speak of those who have little or no fluency in English, our language dominance index verifies our belief that there are many children of other backgrounds who come to us with on comprehension of the English language.

For example, the recent unanimous decision of the U.S. Supreme Court in the case of *Lau* v. *Nichols* highlights the tragic situation of students of Chinese ancestry living in San Francisco. Over 1800 students in that district who did not speak or understand English were put into classrooms where instruction was provided only in the English language. You and I know just as the Court knew and so pronounced in the *Lau* case "that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful."

While the *Lau* case designated no specific remedy, but remanded the case to the lower court for appropriate relief, the direction of the decision in San Francisco, in California, and in all the States is clear. We must act now in concert at the local, State and Federal levels to insure the limited and non-English-speaking child an education appropriate to his or her needs. No longer can we exclude these children or any children, nor ignore their right to an equal educational opportunity.

We now know, in California at least, who these children are, where they are, what language they do understand—and we know from our experience to date the kinds of programs and approaches that are appropriate for them. Let us thank the court for its push, and get on with the task before us as Congressmen and educators.

Let me not further belabor our weaknesses, for as concerned citizens we have already taken some important and exciting first steps toward providing each child with an appropriate education.

The Congress is to be commended for its foresight in recognizing the need for bilingual education in 1968 with the enactment of Public Law 90–247. Title VII of ESEA has clearly made a contribution to bilingual education in California as it has nationwide. Currently 59 projects are being funded in California, serving approximately 25,000 limited- and non-English-speaking students.

We in the California Department of Education have also made bilingual education a top priority. In 1971 we established a bilingual-bicultural task force, charged with responsibility for developing a plan for meeting the needs of our limited- and non-English-speaking children. We have now identified these children and developed models of educational programs to meet their needs. Thanks to our State legislature, which demonstrated its commitment to this area with the passage of the Bilingual Education Act of 1972, we are now operating 69 State-funded projects serving an additional 20,000 pupils.

State funds were utilized in the 1972–73 school year for a needs assessment and survey in each approved project district, as well as for in-service and pre-service training for the teachers and teacher aides, and the purchase of bilingual materials and textbooks.

Classes are being taught this year by teachers with the assistance of aides that are fluent in both English and the primary language of the children, but the costs for such teachers are borne by the local district. Additionally, to ensure that these classes are truly bilingual, at least one-third of the participating youngsters are English-speaking.

As the court in Lau suggested, and as we have found to be true in California, there are many different approaches to the provisions of an education suited to the needs of a non- or limited-English-speaking child. Every program must, however, contain certain basic components such as effective planning and needs assessment, community involvement, trained teachers, aides and administrative staff, evaluation and adequate funding.

There is a need for greater accountability in the operation of ESEA title VII programs. Unlike most other Federal educational programs, title VII is funded directly from the Office of Education to the local school district. The distance between Federal officials and local program administrators often impedes the necessary channels of communication that should exist in a major program of this type. I believe that the services available through State educational agencies could make a valuable contribution to the improvement of title VII. Funding through the state educational agency would ensure coordination among projects, a better evaluation of outputs, and a focal point for state responsibility for the operation of successful programs.

There is also a tremendous need for greater training of the educational staff to properly teach bilingual education. Attention must now focus on the retraining of teachers and for pre-service training of new teachers and aides entering the field.

I cannot emphasize too strongly that there is a need for a more comprehensive approach to bilingual education. I believe that stronger steps could be taken to insure that the bilingual approach is reflected throughout the educational system, in all Federal titles. At the state level we are making every effort to coordinate bilingual education with our other State-funded programs. I feel that only a coordinated, comprehensive approach firmly incorporated into mainstream education will provide us with a long-term solution to the problem.

In California we have moved in this direction by incorporating bilingual education as part of our massive program to reform early childhood education and continuing the inclusion of bilingual education as part of our title I—compensatory education—efforts.

I believe that our Federal, state and local efforts in bilingual education have made a major breakthrough, an important first step in guaranteeing to each and every child an education tailored to meet his or her individual needs, capacities, learning style and pace. Certainly we must meet the needs of every child. The concept of free universal education is uniquely American. Uniquely American also is the dedication to equality of educational opportunity.

We know, however, that equality is not enough for children who begin the race years behind the starting line. As Justice Douglas so eloquently pointed out in the *Lau* case, "There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education."

We must all work in every area to restructure our educational system. We must break the "fit or fail" syndrome. We must all assume responsibility to provide each child with the education he so rightfully deserves.

There is a need to match our moral obligation with our dollars. All levels must share in the financing of public education for all our children. But also to maximize the use of those dollars through coordination of resources and individualization of instruction so that each dollar spent is directly responsive to the needs of each child.

Like most other States, in spite of our best efforts we must look to the Federal Government for assistance when the urgency of the need outruns our capability to provide the required resources.

Mr. Chairman and members of the committee, it has been a great pleasure to present the views of our Department of Education and State board to you. If you have any specific questions, we will be very pleased to respond.

Chairman PERKINS. Let me briefly ask you a couple of questions, Mr. Superintendent, and then I will yield to the gentlelady from New York, Mrs. Chisholm.

I first want to compliment you on a most outstanding statement. In fact, you are running true to form, as you have always brought constructive information before this committee. I hope that we will be able to adopt many of your suggestions.

My first question, Superintendent Riles: The U.S. Office of Education is trying to limit grants under the Bilingual Education Act to experimental programs of only 5 years' duration. Do you believe that the Federal Government should limits its funds like this for only 5-year experimental programs or should Federal support for bilingual education be much greater?

Dr. RILES. Mr. Chairman, I feel that the Federal Government and all of us should look at the need. We should realize that there are children that are not making it. They are dropping out. They are becoming problems to themselves and their communities and the effort should be made to deal with the problem, to put the necessary costs and resources to deal with the problem, and stay with it until the problems are solved.

Therefore, I must argue against arbitrarily limiting programs and to setting a time limit of 5 years. It may take 10, but it may take 15, it may take 4, but let's not make an arbitrary decision on that basis.

Chairman PERKINS. I agree with that answer, too, Dr. Riles.

I am sure you are aware that the Administration is proposing a reduction in Federal funds for bilingual education from an appropriation of $53 million for fiscal year 1974 to $35 million for fiscal year 1975. Do you believe that this cutback is proper, especially in light of the Supreme Court *Lau* decision that you referred to?

Dr. RILES. I do not feel that this projected cutback is wise. I think it is going to place a burden on local school districts with large numbers of limited- or non-English-speaking youngsters with a court requirement that we do something about the job. For that reason any cutback at this point, it seems, would be a misguided move.

What we need is a step up in the support for these programs. In light of the Supreme Court decision, this is going to strike every State and every school district. Many of these States, perhaps, do not have the great impact of non-English speaking that California and Florida or maybe New York have, but every State will have some youngsters who must be assisted.

Chairman **Perkins**. There are numerous questions I would like to ask you, but I must limit them because we have a hearing before the Rules Committee this morning on minimum wage. I do simply want to add one thought and that is that I will advise you when we go before the House Committee on Appropriations to ask for full funding of all the title I programs. It may be that you will be needed to appear with me and many other witnesses in the country to make the statement that you have just made to urge that we do not have any cutback in this area. But, in fact, the $53 million appropriated in fiscal 1974 should be increased in fiscal 1975 to some reasonable figure above $53 million.

Dr. **Riles**. Hon. Chairman, I would be delighted to appear and respond.

Chairman **Perkins**. Now I call on the gentlelady from New York, Mrs. Chisholm.

Mrs. **Chisholm**. Thank you for your wonderful statement. It really puts the problem in its proper focus. I think all of us are cognizant of the fact that close to 5.5 million children in this country have some kind of English-speaking difficulty and approximately 1 in 4 million are Mexican-Americans or Chicanos.

Your state, even though it has been the forefront of those States recognizing the problem, still reaches less than 2 percent of the children who have these difficulties. The first question I want to ask of you relates to the fact that you indicated 19 percent of the population in California is Mexican-American but only about 5 percent of the youngsters are in the university and college system.

Do you feel that perhaps one of the reasons this occurs relates to the economic situation of this particular ethnic group? I was thinking particularly about the problems the children of migrant workers experience.

Do you see that interconnection?

Dr. **Riles**. Congresswoman Chisholm, the limited- or non-English-speaking child is in double jeopardy. He is frequently poor, from a disadvantaged family or a migrant who is a moving target and, in addition, incurs all that goes along with changing from school to school. These children often have been taught by teachers who did not understand their problems of limited English or teachers who have indeed either done one of two things—kept them behind to try to teach them English or just simply moved them along.

It is definitely one of the major problems as we begin to look for teachers who work in this field. We don't have them in the numbers that we want. It is a terrible situation and an unfair one. To add to that, some youngsters have been made to feel not so well of themselves, because they happen to come from homes where English is not spoken. I think Dr. Del Buono might want to elaborate on this. He has made some studies in this regard.

Dr. **Del Buono**. If I may, in California there is somewhat of a misconception regarding the Mexican-American or Chicano population. It is an urban population, an increasingly urban population in California, though that is not to minimize that we do have a migrant problem and we have identified some 80,000 school-age children who move around the State frequently, about 7 or 8 percent are from out of State.

But primarily it is an urban problem and an educational problem that goes beyond just the double jeopardy that Dr. Riles spoke about. It is also a problem of the nature of the educational system. The educational system has not made provisions to meet the needs of bilingual children and those of non-English-speaking backgrounds or capabilities.

The major problem is lack of trained teachers. No matter what we do, no matter what kind of programs we design, the education of these children takes place after the teacher closes the classroom door. Unless we have adequately prepared teachers from that kind of background, no matter what we design at a State or Federal level, it is going to fail at this point.

In California we have some models which we developed that seem to begin to show us a direction for training teachers. I make reference to a program that we call the Mini-Corps, which we piloted and which has been in existence for 5 years. We looked at the junior colleges and at the senior colleges and found a great number of bilingual Spanish-speaking Chicano students who got into junior college. However the attrition rate in junior college for this population is great. But we took these students and made them classroom teacher assistants. We put them into the classrooms working with teachers. At the same time we supported their education at the junior college and senior college level.

This program now has 200 students in it each year who work during the summer in our migrant and bilingual programs. These programs are continuing to produce 50 trained teachers a year. This is just a small pittance, a small program, but it seems to be a way to go. It gives us some induction, that it is possible to pick up students who are bright and want to become teachers and not only provide them with a classroom experience where they are serving children, but continue to provide the counselling and support so that they do, in fact, become teachers.

Mrs. CHISHOLM. One more question.

Chairman PERKINS. Will the gentlelady yield to me at this point? I want to compliment the gentlelady on the many constructive questions asked of the witness, and particularly those concerning the disadvantaged child. Since we have so many title I formulas floating around, at this point I would like to ask Dr. Riles, if he feels it would be a good idea to consider the entire population of the country in distributing title I funds as the O'Hara formula does, or whether we should continue to concentrate on the disadvantaged?

Dr. RILES. Chairman Perkins, I think I can make this statement before Congresswoman Chisholm, even though she may or may not agree, but I have one advantage that I think I can put into the record.

As you know, my particular office is nonpartisan, but I have a son who is my namesake. He is a junior who does not bother to be nonpartisan and he was Congresswoman Chisholm's northern California presidential campaign manager. With that preface—I would say that title I was deliberately designed to reach the needs of poor, disadvantaged youngsters. In my view it was one of the greatest pieces of legislation in education that has ever been passed. It demonstrated that the country cares and was no longer willing to tolerate thousands and millions of youngsters going without an education.

Now, I believe that should the Federal Government decide to go into general education, fine, but it should not be at the expense of the youngsters who need it most. I am considerably alarmed when I hear people trying to take and twist the formula for title I and make it some kind of general aid program when it was designed and should be designed to meet the needs of the most disadvantaged.

I might add that I have studied the present formula that came out of committee and California is in support 100 percent of that formula. It is our hope that the bill when it comes to the floor of Congress will be passed.

Chairman Perkins. Thank you very much. Go ahead, Mrs. Chisholm.

Mrs. Chisholm. One more question I would like to ask. The administration has not asked for any more money under the Educational Professional Development Act on the ground that there is a surplus of teachers in the country. Yet we know there are approximately 350,000 teachers in the southwestern part of this country, of whom fewer than 5 percent are Chicanos and fewer than 4 percent are curriculum coordinators for programs for Spanish-speaking children.

What is your reaction to the suggestion that there is a surplus of teachers in this country? What do we have to do? Do you believe we have to reorient the entire educational institution setup to focus on new kinds of programs that will meet the very specific needs of these children or what?

Dr. Del Buono. That is a problem. We do have declining enrollments in California and we have districts that will not be hiring teachers, that do not plan to hire teachers in the next 2 or 3 years. Yet we know there still exists a great need for bilingual teachers and teachers from that kind of background and that kind of experience and capability. What we are attempting to do in California is a possible solution.

We just last week introduced a bill in our legislature that provides an incentive for early retirement. We know that there are a number of teachers who have reached the age of 50 or 55, who were really looking for an honorable way out. If this could be encouraged—and we think it can through some incentives that our legislatures may provide—then we can begin to create some slots for newly trained teachers that enter the teaching force with the kind of capabilities we need.

In reference to the need for training capabilities, I really think that it is not a question of surplus of teachers in general that is a problem. The programs in EDPA should be oriented to meet the requirements and needs for specific teachers in given areas.

Mrs. Chisholm. One last question of Dr. Riles and that is, do you really feel that if bilingual education is going to be effective and help the child to get out of the poverty cycle eventually, that this should be a must in pre-school programs in this country wherever it is needed?

Dr. Riles. Absolutely. We have found that the best time to make the impact is early and we can, indeed, save money if we can reach the youngsters that are in the early grades now, so that we will not have to remediate later on. My assistant here has brought my attention to a project I visited in San Jose, California. It is called in Spanish Dame School. The experimental project really involves the mothers in the home of the youngsters with assistance from teachers. I have never seen a more exciting bit of work by involving these mothers in the training of their own youngsters. What comes out of this, very interestingly is, that a number of these mothers go back to school themselves and it is—we think of expenditures, I think, in the wrong way. We ought to think of this as an investment in human beings and when we invest in this way, in effective programs, it means that these young people grow up to be contributing tax-paying citizens. If we can ever think about it that way, I feel that we will get the support. Those of us out in the States will do our best to give you the kinds of programs that I know you as Congressmen want for this country.

Mrs. Chisholm. I have no further questions.

Chairman Perkins. Mr. Benitez.

Mr. Benitez. Dr. Riles, like the rest of my colleagues, I congratulate you for your presentation and for the intensity of your interest in this problem. I notice from the testimony that you have referred to this problem in the last 7 years. I was born into this problem in Puerto Rico. It is one in which we have had by now 76 years of participation and experience. The secretary of education of Puerto Rico will be testifying to this in a few moments, but I wanted to ask you if you had had occasion to visit Puerto Rico and to explore some of the bilingual problems which we have had there and which we are facing now?

Dr. Riles. Unfortunately I have not had an opportunity to visit Puerto Rico. I have met your chief state school officer and I would welcome an opportunity.

Mr. Benitez. The question was a foundation for an invitation to both of you and others to visit Puerto Rico where you will find that there is a great deal of material dealing with this question of a second language, which is the case of many of your Spanish-American students and now we are coming across a new situation in Puerto Rico as a result of migration: the Puerto Rican who does not speak Spanish and who has returned to Puerto Rico. I understand from your position that in your judgment we are now in the threshold of a profound new development in the United States.

I share that concept and hope that we in Puerto Rico can be helpful in many ways and can in tur nbe helped in many other ways in the broadening of this concept.

Dr. Del Buono. I did have the opportunity in 1965 and 1966 to visit your country and to visit your educational programs. At that time I was working in Venezuela developing a bilingual-bicultural program there where both Spanish was taught as a second language and English was taught as a second language. We did learn much from you and appreciated the work that had been done there, especially in the development of test materials and curriculum.

Mr. BENITEZ. This is a constitutional problem with us. We would welcome your participation, your help, and possibly our mutual cooperation.

Dr. RILES. May I, Mr. Congressman, just tell you briefly what my dream is and in this business you have to dream and then we work to make them come true.

Mr. BENITEZ. If you don't dream, you have nightmares.

Dr. RILES. The kind of program that we are trying to develop is one that reinforces the primary or home language of the student, whatever that might be—Spanish, Chinese and so on. Secondly, to teach the youngster English also. So that the youngster really becomes bilingual.

Now, the thing that troubles me and that I would like to see changed is this. I would like to see all children, so-called Anglo or English-speaking children, be able to manage another language. I feel that our country's leadership position may be threatened at some place down the road because we don't speak other people's languages and therefore don't understand their culture.

So if we start thinking about a monolingual person as perhaps being somewhat disadvantaged, then I think we will get someplace.

Mr. BENITEZ. I fully agree with you.

Mrs. CHISHOLM. One short question. Do you go along with the suggestion that NIE, National Institute of Education, use the money for bilingual education research? How do you feel about that situation?

Dr. RILES. I feel the National Institute—and I happen to be on the national council for the moment—ought to give us some of the basic kinds of research in how best to accomplish the purpose. I am not sure whether we have reached that point yet. I believe that some of these things are on the drawing boards, and I think this ought to be one of their major priorities, and I think it will be if I can influence it in any way.

Chairman PERKINS. Mr. Meeds.

Mr. MEEDS. No questions. Thank you, Mr. Chairman.

Chairman PERKINS. Thank you very much, Dr. Riles.

Our next witness is the Honorable Ramón Cruz, secretary of the department of public instruction, Puerto Rico.

I will now call on Mr. Benitez to introduce Dr. Cruz.

Mr. BENITEZ. Thank you.

Mr. Chairman, we will all feel happier after the O'Hara amendment is defeated. We are pleased to have with us today the secretary of education of Puerto Rico, Mr. Ramón Cruz, who presides over the most important department of education in Puerto Rico. It deals with education of 800,000 Puerto Ricans and he is one of the persons who bears great responsibility for the future.

I am happy to welcome you with us here in Washington and we are ready for your testimony now.

STATEMENT OF RAMÓN CRUZ, SECRETARY, DEPARTMENT OF PUBLIC INSTRUCTION, HATO REY, PUERTO RICO

Mr. CRUZ. I will not elaborate at this moment on the philosophy with regard to the problem of bilingual education because I believe this is well known throughout the Nation. I believe that the testimony given by the superintendent of public instruction in California has again repeated most of the things we believe. I will comment on a number of items related to my written testimony which was sent to this committee, and in particular to the problems that we in Puerto Rico face with bilingual education.

Mr. BENITEZ. Madam Chairman, Mr. Cruz has prepared a statement and we hope it can be inserted, if there is no objection, fully into the record.

Mrs. CHISHOLM [presiding]. Without objection the statement will be inserted in the record at this point.

[The statement follows:]

PREPARED STATEMENT OF HON. RAMÓN A. CRUZ, SECRETARY OF EDUCATION, COMMONWEALTH OF PUERTO RICO

Mr. Chairman, Mr. Resident Commissioner of Puerto Rico, Honorable Members of the General Subcommittee on Education of the House of Representatives:

My name is Ramón A. Cruz. I am Secretary of Education of the Commonwealth of Puerto Rico, and I am here at the invitation of the Honorable Chairman of this Subcommittee, Mr. Carl Perkins, to testify on the need for more federal asistance for bilingual-bicultural education programs for Puerto Rico.

I wish to present a situation that is affecting the scholastic achievement, the emotional development and the potential economic productivity of sudents on the Island as well as of a great number of areas on the Mainland.

In the course of the century Puerto Rico has undergone an accelerated transformation from an agrarian to a highly industrial, commercial, and service economy. As a result, in the past three decades the median annual family income has increased from $611 in 1940 to $3,063 in 1970. In spite of this apparently significant increase in family income in 1970, 60.6% of the Puerto Rican families on the Island had annual incomes of less than $4,000, that is, below the poverty level by United States standards.

Aggravating this problem is the growth of our population which has risen from 1.8 million in 1940 to 2.7 million in 1970. The high incidence of families below poverty level, the density and growth of our population, as well as the gap between the cultural maturity and the economic growth of our people, constitute a multidimensional problem which seriously limits our educational system.

The Commonwealth of Puerto Rico is making unprecedented efforts to meet the challenge of the educational needs of the Puerto Rican people. Yet, in spite of the fact that the 34% of our total annual budget is allocated for public education, this is far from enough to deal with the practical problem. For example, to tend the educational needs of the enrolled school population of 713,166 children we have 20,796 school rooms and 25,500 teachers. The shortage of classroom and teaching positions forces us to use a double shift system which provides less than six hours of daily instruction to approximately 38% of our total school enrollment.

On the other hand, the academic qualifications of our teachers are far from optimal: For the year 1972–73, 38% (8,915) had not completed four years of college education and 8% (1,917) had less than two years of college.

Economic pressures in Puerto Rico force many students to leave school before completing the twelfth grade, resulting in a very low retention rate for the system. According to statistics, of a total of 78,801 students enrolled in the first grade in 1960 only 33.8% (26,627) finished a high school degree in 1972 and of these 8,045 graduates only 30.2% entered the State University that year.

This brief sketch gives you a picture of our needs and the economic limitations which obstruct our efforts to provide both quantitative and qualitative educational experiences for all of our youngsters.

The nature of our relations with the United States allows an unrestricted continuous flow of families back and forth between the Island and the Mainland. As a result of this migration, in recent decades, both school systems have had to cope with the subsequent adverse effects on the scholastic achievement and social adjustment of the children.

One of the most important problems curently faced by the public education system in Puerto Rico is that of thousands of children constantly arriving from the United States with their families; who have a deficient command of both Spanish and English languages. These United States born and/or raised children of Puerto Rican immigrants, being members of a minority group, have not had the best educational opportunities in the United States school system nor the chance of adequately learning their parents' tongue. Upon returning to Puerto Rico, these families find that their children are academically disadvantaged because Spanish is the instructional vehicle in the public school system.

These children also bring habits, attitudes and an outlook toward life which clash with those of the people in their new environment. For these reasons, they usually have problems of social adjustment that affect not only their academic achievement but that of other students in their group. They are not only social and school misfits, often segregated from the regular student body, but they also develop personality problems and usually avoid involvement in both academic and extra-curricular activities. They feel like and are regarded as strangers both in Puerto Rico and the United States.

A study made of the 1971–72 enrollment figures showed approximately 25,799 students in the public schools of Puerto Rico who had difficulty with Spanish upon arrival from the United States. Of these, 17,373 were concentrated in the urban zone and 8,426 in the rural areas. According to 1973 migration figures, we expect that for 1974 we will have at least 35,000 English dominant students in the system.

Another aspect of the problem more relevant to continental United States, is the continuous flow of Spanish speaking students into the mainland school system.

Most of our migrants are young, under-educated, and of rural origin. Only 19% are high school graduates and less than half have completed their primary instruction. Puerto Rican immigrants in the United States tend to return to the Island, and often, finding that economic opportunities are not comparable to those in the United States, and facing problems of social and emotional maladjustment, return to the Mainland after a year or less of residence in Puerto Rico seeking reincorporation into the continental educational, social, and economic systems. The one year residence in Puerto Rico aggravates, among other things, the language and academic deficiencies of the youngsters.

We consider that our educational system should provide for the needs of these youngsters in the measure that they constitute a problem for Puerto Rico, and for Puerto Rican children in general, as potential immigrants to the United States, to prevent them from becoming a problem in the continental system.

The Department of Education has been conducting several projects in an attempt to deal with this situation. Bilingual-biculural education programs are being developed under Title VII, Title III, and the Emergency School Aid Act. These programs have had to concentrate, as an emergency measure, on the junior and senior high school levels where the problem is more acute.

A program funded jointly by Title VII allocations and the Commonwealth of Puerto Rico has been operating for the past three years at the Jose Padin Junior High School in the Bayamon Sur school district. This project attempts to help students who arrive at the Island from the Mainland with their linguistic, academic, social, and cultural problems. The program serves 180 English dominant students who are integrated in the classroom with an additional 180 native Spanish dominant students. Classes are conducted both in English and Spanish and intensive language instruction is provided for in both languages. There is a maximum of 30 students per group.

Another project, similar to the above in capacity and organization, functions under joint Federal and State funds at Papa Juan XXIII Junior High School in the school district of Bayamon Norte. This project is currently exhausting its fund allocation grant under Title III.

This year we have started a pilot program in six secondary schools funded by Emergency School Aid Act. This program is now serving 453 English dominant students and offers intensive English, Spanish, and Puerto Rican culture courses, as well as counseling services, and sports and art activities to promote social adjustment.

However, these projects are insufficient to deal with the magnitude of the problem. Of the 25,799 returnee students in the system in 1971–72, they serve only 813. It is noticeable that there are no programs at the elementary school level. Tables I and II in the appendix indicate the number of students moving to and from the Island for the years 1966 to 1973. Table I shows that the majority of the students coming from the United States enter the system at the elementary school level, precisely where no services are being rendered. An effective bilingual program for the Island must attack the language problem at this level.

The existing programs deal with students at the junior and senior high school level. At this age the youngsters have greater difficulty learning a second language and making social adjustments than at the elementary school age. Also they have been exposed to the language and social barriers for a longer period of time and have developed negative attitudes toward school work and many times toward society in general. These attitudes once developed are hard to overcome and affect the emotional health and social functioning of the individuals. Treating the problem at an earlier stage would prevent exposing the children to years of inadequate education.

The scope and ramifications of the problem are broader inasmuch as it involves not only doing justice to underprivileged American citizens but also providing for a smooth operation of the social and economic structure of both societies. As previously stated by former Secretary of Education, Celeste Benitez, before this Subcommittee on April 4, 1973:

"* * * three out of four of our young people leaving school in Puerto Rico are destined for jobs here in the States. It is clearly in the national interest that these young people fit the increasing needs of the United States for qualified, rather than for unqualified, workers.

"The educated Puerto Rican migrating to the States is all "benefit" and little "cost" to the United States economy and to its sociey in general. He is sought after by employers and he is likely to provide cultural enrichment to the community in which he lives. The uneducated Puerto Rican migrant clearly fills an immediate need of the United States economy of yesterday and today. Otherwise the migrants would not be moving in such large numbers. But in the United States society many of them are misfits. If his obsolescent job evaporates, the underqualified Puerto Rican migrant and his or her family has only two choices—public asistance here in the States, or return to public and family asistance "at home" in Puerto Rico. Directly or indirectly, either choice imposes "costs" on both the United States and Puerto Rico, with little or no "benefits."

"Federal assistance to education in Puerto Rico thus has multiple benefits—it improves the quality of the United States labor force; it reduces welfare costs, especially in the big cities; it speeds the economic development of Puerto Rico; and it improves the quality of life in all parts of the country where Puerto Ricans reside."

The Supreme Court of the United States in the San Francisco-Chinese Students case and in previous cases, has established that "educational opportunity is not a function solely of buildings, books, and teachers . . . but presupposes the student's basic capacity to communicate in and comprehend the language of instruction."[1]

This ruling clearly points to our joint responsibility to provide the students with educational experiences within the framework of their language and cultural skills.

In order to help counteract the damaging effects of the linguistic and cultural alienation of these educationally disadvantaged students, the school must implement academic, cultural, and social programs that satisfy their needs as well as increase its holding power over them since a great number leave school before completing the twelfth grade.

The Commonwealth of Puerto Rico faces great budgetary limitations to offer adequate schooling to the totality of our school age population. Our annual expenditure per pupil in 1973 was $513, the lowest in the nation. Yet, the multidimensional problem of bilingual education demands urgent attention and allocation of funds which we do not have. The problem of the bilingual-bicultural child must be tended to NOW if our system is ever going to produce emotionally and socially adjusted individuals who can contribute creatively and productively to society.

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[1] *Education Daily*, page 2, October 17, 1973. See also Senate Congressional Record, pp. 181–181, January 22, 1974.

Apart from the fact that the existing bilingual programs are limited in their capacity to serve all needy youngsters, they also face problems of implementation such as lack of properly trained personnel, adequate materials and textbooks, and reliable measuring instruments.

There is a need to conduct research in the field in order to determine the character of a bilingual program for Puerto Rico, to assess the needs of the bilingual-bicultural child, to produce and evaluate adequate instructional materials.

There is a need for a program of staff development which calls not only for inservice training of existing personnel but also for coordination with institutions of higher learning to establish specialized. bilingual education courses at college level.

There is a need for appropriate instructional materials, textbooks, and measuring instruments, which in turn requires highly technical and specialized personnel.

There is a need for an island-wide program to serve all of our youngsters who go from the Mainland to Puerto Rico as well as every Puerto Rican child to the extent that he is a potential immigrant to the United States, in order o prepare them to face the change in social setting with the least suffering in academic achievement and personality development.

And finally, there is a need for coordination between continental and Island bilingual-bicultural programs in order to avoid useless duplication of efforts in producing instructional materials and developing evaluation procedures.

All of the above mentioned activities imply expenditures which we cannot afford due to our limited economic resources. This situation prevents us from strengthening our English as a second language instruction, much less would we be able to implement a bilingual-bicultural education program designed to aid these young Americans in this transitory stage of their lives.

It would be of obvious benefit to both Puerto Rico and the United States if the necessary funds were assigned to attack this language and cultural barier problem at the place of its origin, the Puerto Rican school system.

I want to call attention to this problem on behalf of the people of Puerto Rico and for the welfare of both the North American and the Puerto Rican societies. You are faced with the possibility of helping thousands of needy youngsters by allocating the necessary funds. We trust that you will respond favorably to the requests made in this presentation.

TABLE I-A.—STUDENTS TRANSFERRED TO PUERTO RICO FROM NEW YORK CITY, 1966-67 TO 1972-73

Grade	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73
Special groups	10	13	9	25	31	26	27
Pre-school	107	127	153	202	215	249	208
1	526	628	651	842	1,052	1,091	1,082
2	371	512	505	678	800	951	901
3	424	462	595	680	871	843	923
4	355	458	509	682	730	805	791
5	348	377	473	559	708	785	792
6	345	355	456	553	641	748	761
Total, 1-6	2,369	2,792	3,189	3,994	4,802	5,223	,250
7	273	354	413	543	715	692	841
8	229	342	373	482	592	653	652
9	204	289	360	463	537	587	564
Total, 7-9	706	985	1,146	1,488	1,844	1,932	2,057
10	168	200	237	357	389	456	430
11	121	125	103	161	288	213	247
12	53	61	49	65	111	88	90
High school graduates completing college requirements				2	2	1	4
Total, 10-High school graduates	342	386	389	585	790	758	771
Grand total	3,534	4,303	4,886	6,294	7,682	8,188	8,313

Source: Statistics Division, Department of Education, Commonwealth of Puerto Rico.

TABLE I-B.—STUDENTS TRANSFERRED TO PUERTO RICO FROM OTHER PARTS OF THE UNITED STATES

Grade	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73
Special groups		3	3	2	1	3	4
Pre-school	7	18	27	18	12	34	17
1	39	91	91	131	90	170	121
2	48	84	74	103	112	149	133
3	53	67	95	139	131	163	138
4	55	72	108	107	81	166	157
5	41	74	79	95	101	144	164
6	52	49	81	89	103	147	91
Total, 1-6	288	437	528	664	618	939	804
7	36	54	57	89	73	148	84
8	37	37	50	87	82	100	104
9	52	37	60	89	69	117	99
Total, 7-9	125	128	167	265	224	365	287
10	33	20	29	67	42	46	50
11	26	16	16	41	35	40	35
12	7	6	12	31	23	8	10
High school graduates completing college requirements				1	1		
Total, 10—High school graduates	66	42	57	140	101	94	95
Grand total	486	628	782	1,089	956	1,435	1,207

Source: Statistics Division, Department of Education, Commonwealth of Puerto Rico.

TABLE II-A.—STUDENTS TRANSFERRED FROM PUERTO RICO TO THE CITY OF NEW YORK, 1966-67 TO 1972-73

Grade	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73
Special groups	19	30	58	59	94	56	56
Pre-school	138	198	220	228	343	275	307
1	1,249	1,614	1,587	1,555	1,644	1,429	1,478
2	924	1,302	1,254	1,224	1,288	1,058	1,067
3	909	1,056	1,248	1,143	1,174	979	967
4	777	955	1,019	1,013	1,030	824	969
5	703	891	922	939	1,027	843	932
6	717	817	907	819	893	712	781
Total, 1-6	5,279	6,635	6,937	6,693	7,056	5,845	6,194
7	627	816	916	863	1,018	908	990
8	508	602	690	721	867	768	801
9	426	539	542	566	696	627	680
Total, 7-9	1,561	1,957	2,148	2,150	2,581	2,303	2,471
10	407	470	546	467	683	633	667
11	273	302	405	297	424	374	495
12	78	142	152	96	143	131	141
High school graduates completing college requirements		2	3	6	9	5	14
Total, 10—high school graduates	758	916	1,106	866	1,259	1,143	1,317
Grand total	7,755	9,736	10,469	9,996	11,333	9,622	10,345

Source: Statistics Division, Department of Education, Commonwealth of Puerto Rico.

TABLE II-B.—STUDENTS TRANSFERRED FROM PUERTO RICO TO OTHER PARTS OF THE UNITED STATES, 1966-67 TO 1972-73

Grade	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73
Special groups	6	10	12	17	7	12	5
Pre-school	19	25	43	54	25	20	22
1	166	220	178	227	206	215	229
2	121	189	171	207	167	184	173
3	108	189	157	196	166	153	174
4	121	146	138	145	155	174	130
5	127	143	124	192	150	147	121
6	119	90	154	150	123	135	140
Total, 1-6	762	977	922	1,117	967	1,008	967
7	136	145	119	124	95	118	131
8	89	92	105	114	84	97	118
9	80	56	88	71	77	117	90
Total, 7-9	305	293	312	309	256	332	339
10	67	70	52	98	66	62	86
11	41	43	35	64	30	66	57
12	11	27	10	33	11	12	16
High school graduates completing college requirements			1				1
Total, 10-high school graduates	119	140	98	195	107	140	160
Grand total	1,211	1,445	1,387	1,692	1,362	1,512	1,493

Source: Statistics Division, Department of Education, Commonwealth of Puerto Rico.

Mr. CRUZ. I believe we have the longest background in the problem of bilingual education. For the last 74 years we have been struggling with this problem and the first stage with the issue of whether we should teach in Spanish or English. Of course, in the first 40 years of the century this issue was tainted with political motives and we never came to an agreement until the 1940's when finally we made a decision that all subjects in the public schools be taught in Spanish with English as the second language of priority.

Now, Puerto Rico faces a particular problem in terms of the fluidity of population. There is a restricted flow of Puerto Ricans back and forth from the mainland. We have not dealt before with the problem of lack of knowledge of Spanish up until 1967 when we started to do something about this particular area.

You see, we have four problems in one. We are only dealing here with the problem of teaching English as a second language, but we are now dealing with the situation of teaching English as a first language to those returnees who have no knowledge of Spanish. It was not until 1972 that the school system made a study to try to determine how many students who were returning from the mainland had difficulty in Spanish or complete partial knowledge of English, but no knowledge at all of the Spanish language.

At this time we found that there were around 27,000 students in our elementary and secondary schools who could not understand the medium of instruction. Therefore, we are now dealing with English as a second language, English as a first language, Spanish as a second language and Spanish as a first language.

Of course, we have to look into this particular situation within the view of our problem of instruction throughout the Island. Perhaps a few numbers should give you some insight on how difficult it is for us to deal with a special program of this kind for future needs.

First of all, I should state that even though our island makes possibly the largest effort in putting in funds for education—at this moment we have about 33 percent of our state budget going into education—but even so, this is not enough as shown by the fact that as of last year the per-pupil expenditure was only $513 per year, which is the lowest in the Nation by the way.

Of course, when we look into these numbers, we have to see that the actual purchasing power of the dollar has decreased so much that we are now providing less service to children in the schools than we provided back in 1954, even though at that time the per-pupil expenditure was only $210.

What I want to show is that this special problem that we now have, that of returnees in our schools, is one that is complex and one in which we do need help. Our estimates are there are about 35,000 students at this moment in our public schools who have no knowledge of Spanish. In other words, we believe there has been about an 8,000 increase in the last 2 years.

I should state at this point this number is increasing. Apparently there are some social problems in many cities of the Nation which is forcing Puerto Ricans to go back to their homeland. Out of these 35,000 students, we have special programs for the teaching every evening as a first language and Spanish as a second language for only 813 students. And these are the secondary level. We have no programs at the elementary level.

Of course, the $85,000 allocation which Puerto Rico had for the bilingual program is evidently not enough to tackle this situation on the island.

Mr. BENITEZ. What is the overall budget of Puerto Rico in education?

Mr. CRUZ. $310 million.

Mr. BENITEZ. That is in public education?

Mr. CRUZ. Public education, yes.

Now these students bring to the island not only a problem in language, but a problem in social adjustment. We are talking now the situation of students in many public schools who are rejected by the student body and by their own teachers. They bring in a number of habits and customs from the mainland which do not fit into our pattern of life. At this moment we are working hard in many large schools of the metropolitan area and in some of the schools throughout the island to try to adjust these students to our setup. Of course, you may guess at this moment that many of these students are potential migrants again because once they find they cannot adjust themselves to the situation on the island, they will return back to the States.

Now as I said before, the programs we have are only at the secondary level because we have decided that having no substantial resources to tackle it throughout the system, we are doing it on an emergency level on the scondary level. But we have nothing at the elementary level.

Together with the problem of resources, we have the problem of properly trained personnel. You see, we have had 74 years of experience in teaching Spanish and English, one as a first language and the second as a second language, but we have come lately to face the problem in reverse. So the lack of properly trained personnel is one of our main obstacles.

Second, the problem of materials, textbooks especially, which we are just beginning to produce.

Third, the problem of how to deal with course content through the teaching of a foreign language. Now this was particularly the problem we faced for 40 years while English was being used as the medium of instruction. Now we are facing it the other way. How do we produce materials in Spanish to fit our needs for returnees?

Now, fourthly, the lack of coordination and at this point I would like to elaborate a little. I received a visit from a number of people from the mainland, New York, Boston, Philadelphia, Chicago, you mention it. Many of them have gone to the Island to see how we have tackled the problem of teaching English as a second language and how we teach Spanish. But I have found that everybody is bent in their will.

While we have developed a number of materials in the teaching of English as a second language and we have plenty of materials in the teaching of Spanish, we have observed that many of these school systems are again producing the same kind of materials. Therefore, in the same fashion that I ask you to provide us much help to our school system to deal with the returnees who are products of school systems on the mainland, I also want to state we do have the experience and that we have resources which can be shared, which can be coordinated with many school systems, especially in the eastern part of the United States.

These are areas in which we can work together and in which we are willing to cooperate. Say, for instance, the exchange of teachers. Now, I do believe that our school ssytem could provide through an exchange program a number of teachers for school systems which are now starting to work on bilingual programs to teach Spanish. And then in the same fashion we could bring in teachers from the mainland to work in our programs for returnees so that they adjust to our school system more easily.

In general terms I believe that we can both help and we need help. Going back to the figures I mentioned before, we are giving attention to less than 5 percent of our students with this problem of the lack of knowledge in Spanish. On the other side, if we could develop better prose and at the same time emphasize the teaching of English as a second language, as we are doing now from the first grade up to the twelfth grade, we would be collaborating and helping the public schools of the mainland in having a better adjusted student to the system that you use here in your public schools.

In general terms this is just the problem I wanted to present to you. I do believe that Puerto Rico faces a very peculiar situation which is not found anywhere throughout the Nation because we are dealing with two languages both as a first and as a second language.

I am willing to answer any specific questions you may wish to make at this moment.

Mrs. Chisholm. Thank you very much for testifying before the committee this morning. I don't think all of us on the committee were perhaps aware of the depth and the unique aspects of the problems faced by Puerto Rico.

There are just one or two questions I would like to ask you. First, in terms of teachers and persons from the education profession coming from the mainland down to Puerto Rico on educational conferences, seminars, visitations and observations have you found that there really is an understanding of the problems that the educators in the schools of Puerto Rico face or do you find it is perhaps just a transient kind of situation in which they come for a conference for a couple of days, you have some workshops and nothing is followed through. What have you found?

Mr. CRUZ. I believe your statement is correct. I have had the experience myself with exchange programs of this kind, short visits of this kind to both school systems. I do not recommend any kind of program in which the visit of a teacher either to the Island or a Puerto Rican coming to the States be of a short nature. You don't learn that much from that.

There was a time when your city had an exchange program with our school system. It was cooperation understanding. That program did work because the New York teachers stayed at least 1 year in our system. Now before going there they did have a full understanding of the situation they were going to see there and at the same time they were working with Puerto Ricans in New York City. So there was a pressing problem for them. They had to understand the system and they were highly motivated because the program provided some additional benefits which were not customarily given to teachers who stayed in the city.

On the other side, our teachers came to New York City and had the chance not only to work as assistant teachers in places where the majority of students were Puerto Ricans, but also they had the chance to improve themselves professionally. Now this program was started long ago, but stopped in 1968 for reasons I have not been able to find out. I believe there were budgetary reasons, but any program of this nature which I believe will be helpful if properly organized—I don't mean this type of short visit type of thing—would have to be established on the basis of some financial system, not only to the teachers who go to the island because our salaries are lower, but for the teachers who come from Puerto Rico to the mainland, because our teachers would have some extraordinary expenses that ordinarily they would not have on the Island.

This is the reason why most exchange programs have not worked properly.

Mrs. CHISHOLM. One other question.

Do you feel that one of the ways of resolving the situation—and we know it is a terrible complicated situation for all kinds of auxiliary factors—would be to have Puerto Rican educators come to the mainland and actually participate in a community where there are large numbers of Puerto Rican children, of which we have large numbers throughout this country, in order to give the teachers on the mainland the necessary insights, cultural understanding, familial situations, so they would be better prepared to cope with the youngster and not be so terribly afraid in many instances.

Do you feel that need cannot be found here on the Mainland itself?

Mr. CRUZ. I believe your statement is correct. I have personally observed this situation in many schools on the Mainland. You see, there is another advantage. Not only the student here on the mainland will feel better communicating with someone who knows him, but our teachers, in turn, will improve greatly because when he goes back, he will have somebody who has actual experience in the use of the English language, living the English language and this will improve greatly our English in the public schools.

This is a twofold proposition and it works and benefits both ways. We do have a little program now. It has only about 12 teachers with the University of Illinois. The University of Illinois offers a master's degree in the teaching of a number of subjects using Spanish as the medium of instruction.

Now there is no Federal funding on this program. These students come to the island and teach for 1 year for what they call the fifth year of internship. They teach music, science, mathematics, and other subjects and, in turn, they get the fluency of the Spanish language because they teach Spanish-speaking students all the time and they get the fluency.

This has been most beneficial because when they come back, they are not used in the usual type of Spanish learned in courses. They are familiar with the literal language. Now, in turn, our students get in touch with English-speaking faculty who can understand not only the language, but the textbooks and we are using many of them in the bilingual program.

Mrs. CHISHOLM. Thank you very much.

Mr. Meeds.

Mr. MEEDS. Thank you, Madam Chairman.

Thank you also, Mr. Cruz, for your testimony and allow me to compliment you and the distinguished resident commissioner from Puerto Rico for the stride Puerto Rico is making in education. It has been too long since the expenditure on per-pupil basis was just half of what it is now in Puerto Rico. Unless I am incorrect, Puerto Rico is spending more on a per-pupil basis than some states, so I think that is a very, very fine recommendation for what has been happening in Puerto Rico.

I notice, Mr. Cruz, that you in your statement and in your oral presentation have indicated that of the approximately 30,000 or 35,000 students that you feel need Spanish as a second language or English as a——

Mr. CRUZ. English as a first.

Mr. MEEDS. English as a first. That you are only able now under the Emergency School Aid Act to serve 815 of those and that you are doing this in the secondary schools, some six secondary schools?

Mr. CRUZ. That is correct.

Mr. MEEDS. You also indicate in your statement, I think on page 4, that "The existing programs that deal with students at junior and senior high school levels"—at this age youngsters have greater difficulty learning a second language and making social adjustment than at the elementary school age. I assume you would prefer to be doing this at the elementary school level.

Mr. Cruz. Certainly.

Mr. Meeds. Why are you not doing it?

Mr. Cruz. The reason is this. We have taken this as an emergency measure. These kids will be asked for admission to our universities very shortly. The university teaches in Spanish also. So we are trying to help at least a number of them who will be moving out of the public school system.

Now we realize, Mr. Congressman, that the crux of the problem should be attacked at the elementary level if we were to see it in the right perspective. So this is only an emergency measure.

Mr. Meeds. It is an emergency measure insofar as you feel that with the limited money you have available at this time that something has to be done at this level or there is never any hope for these children in terms of this language ability.

Mr. Cruz. That is correct.

Mr. Meeds. This just proves a theory I have had for some time, Madam Chairman; that is, that if we are really interested in bilingual education, in doing something, that the expenditures in the first number of years are going to be higher than they will be after we get the program going. This is one of those programs where we should be maybe putting a billion dollars a year in for the first 5 or 6 years and then perhaps we could decrease it a little. I think your illustration here points that up, too, Mr. Cruz.

I think that is all. Thank you very much.

Mrs. Chisholm. Mr. Benitez.

Mr. Benitez. Mr. Cruz, you have stated that your budget is $300 million and you have additionally stated you have not been able to put any money out of that into this program, which is a very important program, and it is a very serious deficiency and difficulty. Can you explain that?

Mr. Cruz. We have not been able to put in resources for the second phase of the bilingual program. We are certainly putting in resources a large number of dollars to the problem of teaching English as a second language. I believe we have—the most elaborate program throughout the elementary and secondary levels for the teaching of English as a second language, because we start in the first grade and we go up to the 12th grade with English being a requirement in every single grade and in some instances having a double period of instruction at the junior high school level.

Therefore, we are certainly putting in more resources for the teaching of English because we view the Puerto Rican not only as a potential migrant to the States, but also as a person who does need the knowledge of English to handle his life in the Island. We are becoming more and more a bilingual society.

Mr. Benitez. Now I think that one factor is, of course, you have just come into the responsibility for the system. You have been there for a few months and your predecessor was there also just for a few months?

Mr. Cruz. That is correct.

Mr. Benitez. And I hope and I trust that aside from the Federal funds that might come into this picture, that the Government of Puerto Rico and your administration will appreciate the urgency of making local contributions toward the resolution of the problem of this non-Spanish-speaking Puerto Rican.

Mr. CRUZ. Certainly.

Mr. BENITEZ. I may say that 2 years back it was to me a surprise walking through southern Puerto Rico to find a number of kids from Puerto Rico playing in the street speaking English. It was the first time that sort of thing occurred in my experience and I was touched by the fact that they were also wearing winter clothes and they were proud of it. This I thought was very moving and important in many ways.

May I also inquire whether another of the problems that you face is that your budget is a more or less frozen budget?

Mr. CRUZ. Yes, it is indeed. As of last year and the next fiscal year we will not have any additional monies for expansion of programs or initiation of new programs. Almost everything has gone into salary increases which are heavily in demand in Puerto Rico.

Mr. BENITEZ. Unless we pass title I as presently established.

Another thing I would like to indicate in this context, is that I envisage a situation where the possibilities of educational cooperation between Puerto Rico and the mainland might be greatly intensified and fostered. That will be so because for the first time this cooperation could be on a basis where we would have experience and knowledge and programs to offer and we would not be in the receiving side or on the receiving end so much as in the giving, and in this sense it would be a balance.

So do you agree with me that this might be a factor in facilitating the cooperation?

Mr. CRUZ. Yes, I do, Mr. Congressman. I will give you an example on how we can start providing help while getting assistance from the other side. We had a visit the other day of a group of officials from school systems in the Mainland. I don't know whether to mention the name, but they were developing some materials on the cultural background of Puerto Ricans. This was on prominent Puerto Ricans of the past.

They have come up with a possible book which would cost about $6 and they had photographs of many Puerto Ricans and their history and everything. When I showed them a publication of ours which had been done four years before and which cost 80 cents, I said:

> Listen, I believe you don't need to do that. We have this book. Our printing press will be glad to provide you as many copies as possible for 80 cents.

This is one kind of thing that if programs are going to take into consideration this knowledge of their cultural background, we can help a lot because we produce a lot there. At the same time we can receive help from people in the Mainland in tackling our problems for returnees and for the materials in the English language which are, of course, rather expensive. Therefore, the possibility of a closer cooperation is great at this moment.

Mr. BENITEZ. Thank you very much. I hope you will be able to pursue it along these lines of cooperation and of being able to help in avoiding the mistakes of which we have such an abundant experience over the last 74 years. This is perhaps one of the best things that teaching can do—how to avoid the repetition of mistakes. In that I am sure we can be very helpful.

Thank you very much.

Mr. MEEDS. Thank you. I did have one further question, Mr. Cruz, about costs of bilingual education.

How much are they presently spending on a per-pupil basis for the 815?

Mr. CRUZ. I don't have the exact figures.

Mr. MEEDS. Can you provide them?

Mr. CRUZ. I will be glad to provide them.

Mr. MEEDS. Is the total amount you are getting, $85,000, being spent in those six programs?

Mr. CRUZ. Yes, sir.

Mr. MEEDS. So there is $85,000 for 813 students.

Mr. CRUZ. The thing is when you figure out per-pupil cost, you have to add on some items that are indirect costs which are not supported by the program itself. Therefore, I will be glad to provide more exact figures.

Mr. MEEDS. If you would provide that information for the record for us.

Mr. CRUZ. I certainly will.

Mr. MEEDS. We are trying to get some idea of how much it is going to cost to meet what appears to be the mandate of the *Lau* v. *Nichols* case and we are getting some rather strange answers out of the administration. So I think we had better nail this down. We would appreciate very much the per-pupil cost that you are undergoing in your present bilingual program.

Mr. CRUZ. I will be glad to provide it. Let me give you some information regarding this. If you develop a small project like ours, it is likely it will be the per-pupil cost is much higher.

Mr. MEEDS. Much higher, I am sure. There are obviously economies of scale which can be effected in larger programs. I just hope we get large enough programs so we get very economical.

Mr. CRUZ. Of course, we can provide you all kinds of statistics about the cost of bilingual education in English in Puerto Rico and that goes into hundreds of millions of dollars a year.

Mrs. CHISHOLM. I would like to ask one more question before you leave.

In your relationships with the educational departments here on the Mainland, HEW, U.S. Office of Education, et cetera, have you found an attitude in which there was a real serious attempt for them to take some direction or guidance from the educators in Puerto Rico as to what the nature of the program should be rather than a kind of subservient "We know it all because we are on the Mainland" relationship. Have you found that?

Mr. CRUZ. In most of them I have found it. The main problem has been that Puerto Rico is unique in many ways. Say, for instance, in title I you know there are some guidelines which apply to the type of school system you have here in which there is a local distinct and then the State is not as strong in the guidance of the public schools. So we find, for instance, that people with no experience now in Puerto Rico face problems in understanding how we operate.

Say Puerto Rico could be considered as a school district, as a large school district highly centralized while here the pattern is different. We have less local control. We have no local board, but generally I do find good attitude in terms of understanding of problems and generally, of course, there is a sense of surprise on how we can handle so much with so little.

Mrs. CHISHOLM. Thank you very much for your appearance this morning.

Now we are going to ask Sister Francis Georgia Vicente to come forward. Sister Vicente was invited on the basis of her continuous efforts to establish the need for bilingual education in the State of Massachusetts. Her efforts along with the Harvard Center for Law and Education resulted in 1971 in State-legislated bilingual education in Massachusetts. She continues that effort now as Advocate for Linguistic Minorities in the Massachusetts State Department of Education under Commissioner Gregory Anrig.

We are very happy to have you appear before this committee this morning. Without objection, your prepared statement will be entered into the record at this point.

[The statement referred to follows:]

PREPARED STATEMENT OF SISTER FRANCIS GEORGIA VICENTE, ADVOCATE FOR LINGUISTIC MINORITIES, BUREAU OF EQUAL EDUCATIONAL OPPORTUNITY

I gratefully accepted the invitation to testify here today before this august group because in the position as Advocate for Linguistic Minorities in the Massachusetts State Department of Education, my job is to be a voice for those who so often cannot speak for themselves. Beyond that, as a nun, I dare claim the apostolate to speak the simple truth, and in faith, to expect even the impossible, so all is gain where the need is so great. Your interest, I understand, is twofold:

Since Massachusetts was the first state to pass mandatory legislation for bilingual education in behalf of children of limited English-speaking ability our experiences in initiating this movement, in passing the law, and now, in moving on through the second year of full implementation should highlight what individual states can and should do to shoulder their local responsibility in providing equal educational opportunity for *all* children.

The second consideration is that of the role of the federal government in responding to an area of need that crosses state lines and is fast spreading to reach national proportions.

Let us examine the task in the framework of a few statistics:

1. In our western hemisphere of some 500 million people, 198 million claim Spanish as their primary language.

2. Upward of 5% of the 210 million inhabitants of the United States speak a language other than English in their home.

3. Conservative estimates by the Office of Education indicate that there are at least 5 million children in the United States who need to be served through bilingual programs in order to survive educationally.

4. The same office reports that under fiscal 1973 expenditure level only 147 thousand of these 5 million children were enrolled in bilingual programs funded under Title VII of the Elementary and Secondary Education Act of 1965.

5. A quick spot check from west to east reveals that in Arizona, Colorado and New Mexico bilingual programs reach less than 1% of the Chicano population (report of the U.S. Commission on Civil Rights); in New York City alone out of the estimated 250,000 Puerto Rican school population, only 4,000 children are enrolled in Bilingual Programs; in Boston, before the passage of our mandated bilingual law, 210 children of limited English-speaking ability were being served in a Title VII Program out of upwards of 4,000 specifically identified as having limited English-speaking ability in an official census taken

within the Boston School Department. The additional hundreds of such children who are lost behind a language barrier in that educational vacuum called "children-out-of-school" comprise another whole topic for investigation nationwide.

But lest we look at these conditions only through the negative interpretation that somehow, because these people—these children—are "different from" they are somehow "less than," let us examine briefly what has happened historically in our country. What is it to be an American? How far back do most of us have to go before we admit apologetically—or proudly—that our ancestors were immigrants to these shores? And when we do face the answer squarely, what do we have to show of the glorious kaleidoscope of cultural pluralism through which our varied ancestory could have enriched this land? The United States is the only nation where a person can be considered well educated and yet be only monolingual. It is significant that the resume of any high-ranking professional from abroad usually lists the number of languages he speaks. On another level, the American tourist abroad takes it much for granted that the waiter in a restaurant in Paris or the cab driver on a street in Rome should know enough English to accommodate him and his needs. Who then, in this matter of languages, are the culturally deprived people? The depth of the tragedy is that while we have sacrificed to the theory of the American "melting pot" the linguistic and cultural resources of whole generations of immigrants, we spend more than $1 billion a year in our education system force-feeding foreign language instruction to students as a token of academic status. Somehow we are beginning to realize that, if communication is the basis of understanding between nations, we have to begin with people, and the varied-language persons in our own country are the first ones whom we need to accept and to respect. This is why we have finally moved from the "melting pot" era, past the English-as-a-second-language total immersion theory, out into the integrated concept of bilingual education. Much research, experimentation and refinement have yet to be done to support and strengthen our broadening view of the value of this system, but this is the very thing we are about today—an examination of what has been done with its posible errors and hopeful gains, and what collaborative of state and federal effort can assure the best results.

The case of the Massachusetts Transitional Bilingual Education Law is, perhaps, a good example of what can be done within the parameters of local public education. Its rationale, its concept and its development up to the moment that it reached the hands of the sponsoring legislators were a total effort from the community upward through the system and outward to the whole state. The great lesson has been that, if a few little people really care, significant changes can be effected in our democratic society.

My personal awakening to the seriousness of the problem of non-English speaking children occurred in my work as liaison for the Spanish-speaking Community in the Boston Mayor's Office of Public Service back in 1968. Because of my Hispanic bilingual background and many years of teaching experience in Puerto Rico I was assigned to gather demographic information for City Hall regarding the new and rapidly growing influx of Puerto Ricans into Boston in the late 60's. You are quite familiar with the multiproblems which accompany the traumatic experience of this unique ethnic group as they relocate to our cities in search of the birthright of their American citizenship in the form of a better economic existence. As I knocked on dilapidated doors and sat in cold water flats talking to Mrs. Rivera or Mrs. Gonzalez, one frightening conditions impressed me more and more for the future of these people. In home after home children were visibly in the house during any hour of the day. In answer to my inquiries of why the children were not in school, the reasons offered were a combination of the woes of poverty and the inability of finding their way into an educational system that was totally unfamiliar, linguistically bewildering and often downright hostile. Those children who had made it past the intricacies of registration forms and some meaningless evaluation were either vegetating in classrooms where they could neither understand the teacher nor decipher the books, or they had alrady dropped out of school from shame and frustration. In 1969 *three* Puerto Ricans were graduated from all the high schools in Boston out of an estimated population of 30,000 Spanish-speaking in the city.

A privately funded Task Force for Children Out of School became deeply interested and published a widely circulated book on the problem. A community group called the Spanish Federation pulled together an education committee of five under the chairmanship of Alex Rodriguez to explore positive strategy. On the basis of the immediate success which a small Title VII grant was producing with about a hundred primary grade Puerto Rican students, we pressured the Boston School Committee for $200,000 for three bilingual clusters in the areas of the city where the greatest concentration of Spanish-speaking children existed. No battle with any school committee for local funds for such a marginal purpose is ever easy, but the grant was made with the bait of a $60,000 matching grant from the Educational Development Corporation in Newton. The clusters flourished under unbelievable hardships and they laid the basis for the system we hoped to expand into law. Two bright, dedicated lawyers—Stuart Abelson and Jeffrey Kobrick—from the Harvard Center for Law and Education joined our little education committee and become the legal scribes for each new idea which the group derived from long sessions with a variety of educators, community people, parents and students. Simultaneously we were working closely with Representative Michael Daly and the Speaker of the House, David Bartley, who favored the concept of bilingual education and agreed to introduce the bill in the next session of the Legislature. The powerful Massachusetts Teachers' Association gradually became involved and convinced to the point of co-sponsoring the effort. Great credit is due to Janet Bryant of the Massachusetts Commission against Discrimination who gathered together the forces of her statewide organization and others into a Coalition for Bilingual Education that did consistent lobbying among the legislators.

All these combined efforts paid off in a final unanimous vote in favor of the Bill in both the Senate and the House, and finally in the signature of Governor Sargent on November 3, 1971. Three months later the Transitional Bilingual Education Law became legally effective and the State Department of Education established a Bureau to implement and supervise the execution of the mandate.

Appended to the testimony is a General Synopsis of the Law so I will not take time to review it in its entirety. However, let me mention the most salient points:

Every school district is required to take an annual census of all school-aged children of "limited English-speaking ability" and to classify them according to their dominant language. Whenever there are twenty or more children who share the same native language, the district must provide a bilingual program. A separate program must be provided for each language group.

The statute calls for the teaching of academic subjects both in a child's native language and in English; for instruction in reading and writing the native language, and in understanding, speaking, reading and writig Eglish; ad for inclusion of the history and culture associated with a child's native language as an integral part of the program.

Although the school district's obligation to provide a bilingual program is mandatory, participation by the children and their parents is voluntary.

Parent involvement.—Parents are afforded the right to "maximum practical involvement" in the "planning, development, and evaluation" of the programs serving their children. Parents, along with bilingual teachers' aides, and representatives of community groups, also have the right to participate in policy-making and implementation of the law at the state level.

Bilingual teachers.—The statute creates a new state certification procedure for bilingual teachers that softens some of the previous rigidities and repeals a former U.S. citizenship requirement (which still exists in thirty states). It also allows bilingual teachers who have met some, but not all, of the certification requirements for teachers to serve provisionally and to count two years of provisional service toward a three-year tenure requirement.

State reimbursement.—The bilingual statute provides for state reimbursement to local school districts for that portion of the cost of a bilingual education program that "exceeds" the district's average per pupil cost. Additional costs not covered under the bilingual statute are eligible for reimbursement under the general aid to education statute. Although the program is "transitional"—a student's *right* to participate lasts only three years—any individual school district is allowed to go beyond this minimum, and programs that are "permitted" by the statute are reimbursed on the same basis as those that are "required." If a program gains support in a particular community, it is entirely possible that it could be extended into a full bilingual program.

Beside these basic tenets of the law there are the regulatory mandates that spell out such details as pupil-teacher ratio (15–1), the assignment of a full-time director for the bilingual program in districts having 200 or more students in the program, the time and manner of census-taking, the criteria for identifying children of limited English-speaking ability, and the organization of Parent Advisory Committees. The Bureau of Transitional Bilingual Education annually reviews the program plans from the various cities and towns, evaluates the programs and, on the basis of compliance recommends the level of reimbursement.

How has Massachusetts responded to the implementation of the Transitional Bilingual Education Law? The pages of statistics that follow give the numerical answer, but I am sure this is not all you want to know. My positive response lies in the memory of 1968 in Boston when there were 17 English-as-a-second-language teachers doing some kind of pull-out program for as many of the city's children of limited English-speaking ability as they could reach. Today, 144 bilingual teachers and 23 English-as-a-second-language specialists in 68 city schools from Kindergarten through senior high school meet the needs of 2340 Spanish-speaking, 329 Italian, 303 Chinese, 126 Haitian French, 114 Greek and 98 Portuguese. Consulting teachers, counsellors, community coordinators and teacher aides expand the staffing of the Boston Bilingual Department administered by its own director. All this is encouraging growth as is the story of each program across the state serving close to 10,000 children who as recently as two years ago had no meaningful educational experience. Much conversion and education of the educated still needs to be done as I sit and listen at School Committee meetings and budget hearings. But, with a state mandated law and the financial reimbursement of the excess cost per capita we are in a position to specify local responsibility to the children who need bilingual education rather than to have to beg for a compensatory program. This latter is the great weakness in the legislation of those states which have only discretionary laws. It is only a gesture of good will and the children are left without a mandatory voice of defense.

Is mandated state legislation for bilingual education, then, the total answer? By no means. The fiscal limitations imposed by state budgets generally allow for just the most basic components of a bilingual program, not much more, symbolically speaking, than a classroom, a teacher, a book. It is great to have a non-English-speaking child now able to be placed in an ambient in which he can feel unthreatened and understood, with a teacher who can speak the words that connote meaning to his mind, and with books whose written symbols sound like the words he has said and sung in his life. We want him to be happy so he can learn, but he will learn and succeed only to the extent that the quality of the program matches the exigencies of the real world he still has to go out to meet in this new land to which his parents have brought him. There are so many questions in bilingual education about methodology, curriculum, testing, materials that need to be answered, and we are all searching without proper time or resources because the need is standing here before us in the form of 5 million children that have to be helped *now*.

So we need funds for research and planning.

We need in-service teacher training for our teachers who may have little else than their bilingualism to equip them for a teaching task that is twice demanding.

We need comprehensive curriculum development geared not only to the linguistic background of the child but most especially to his culture of which language is only one component. An educator who can readily see the difference between an English lad from Yorkshire and a country boy from Kentucky, U.S.A., can't understand why a Mexican American and a Puerto Rican aren't the same thing. The both speak the same language more or less, don't they?

We need to give him the choice of marketable skills in bilingual vocational education programs if this is what he requires to get a job tomorrow.

We need financial support for the administration of state and local programs that are understaffed. The last I visited the Bilingual Division of the New York State Department of Education, the staff consisted of a heroic director, his assistant and a secretary. This is a state where one third of the total population of Puerto Rico resides. Even in Massachusetts the appropriation for administering the Bureau of Transitional Education at present still limits the staffing to a director, three supervisors and clerical help. Specialists in the area of teacher assessment, curriculum adaptation and testing should be available at the State Department level to give the technical assistance that emerging bilingual programs need throughout the state.

The funds for these and many other related and ancillary activities are beyond the financial capability of the state level. Title VII of the Elementary and Secondary Education Act of 1965 was the first national effort of the federal government to address itself to the needs of linguistic minorities who could no longer be ignored. It has been an initial effort, but the funding level never exceeded $35 million in any year's appropriation, and now it is about to expire in 1974. Its demonstration projects across the country since 1967 have evidenced the value of bilingual-bicultural education, not only for children of limited English-speaking ability, but for the corresponding enrichment of Anglo children as well. This is the full circle of the goal of bilingual education. All of this must continue, and the proven efficacy of the system should encourage us to forge ahead a way of education consistent with our awakening realization that we are, in truth, a pluralistic society.

Senate Bill 2552, The Bilingual Education Act of 1973, has already been proposed by Senator Kennedy, as well as Senate Bill 2553, Comprehensive Bilingual Education Amendments Act of 1973 introduced by Senator Cranston. Both these bills jointly sponsored by the two senators and Senator Montoya speak to the expanding horizons of bilingual education and a corresponding budget to meet the level of those needs. The House is initiating here a like movement to revitalize the whole effort that has become a rallying cry for the hopes of all the ethnic groups across the nation. As a bilingual-bicultural person of another era who refused to get into the melting pot, I find this a glorious time to be alive and a part of this great movement to open our hearts, to loosen our tongues, and to tune our ears to the new sounds of many peoples sharing and united.

Muchas gracias, adelante y adiós.

Status of transitional bilingual education programs for fiscal year 1973

I. Number of programs implemented and served 31
II. Number of possible programs for fiscal year 1974 48
  A. ⅓ of cities and towns in the Commonwealth.
  B. 17 additional programs.
III. Total number of students serviced 7,816
  A. 61 percent of estimated 13,000 students of limited English speaking ability.
  B. 56 percent of estimated 14,000 students.
  C. 52 percent of estimated 15,000 students.
IV. Breakdown of linguistic groups:

	Number	Percent
Spanish	4,597	58
Portuguese	2,054	27
Italian	485	15
Greek	167	
French	213	
Chinese	300	

  Elementary, 81 percent of 7,816 6,380
  Secondary, 19 percent of 7,816 1,436
V. Teachers:
  A. Bilingual, 70 percent of 439 306
  B. English as a second language, 30 percent of 439 132
    N.B. Some bilingual teachers taught both bilingually and ESL.
VI. Teacher-pupil ratio 18-1
VII. Approval status:
  A. Approved 19
  B. To be approved (Need waivers or pending) 12
  C. No program 3
  D. Future or possible programs (Numbers fluctuate etc.) 14

N.B. The above information is only a projection of the status of programs for fiscal year 1973. The actual and final information will be submitted when all cities, towns and school districts file their reinbursement forms for fiscal year 1973. Then, and only then, will the Bureau of Transitional Bilingual Education have the final statistical information on the status of programs.

CENSUS TOTALS OF CHILDREN AGES 5-19 REPORTED AS ELIGIBLE FOR BILINGUAL EDUCATION PROGRAMS UNDER THE LAW IN MASSACHUSETTS

	March 1972	October 1972	March 1973	October 1973
Spanish-speaking:				
Attleboro				30
Boston	2,518	2,415		2,340
Brooklin		11		17
Brocktoe	28	65	49	100
Cambridge	113	121	148	154
Chelsea	135	168		201
Chicopee	29	33	23	2[illegible]
Clinton		26		36
Fitchburg			89	62
Framingham	143	205		203
Haverhill	88		127	88
Holyoke	605	437	442	468
Lawrence	1,070	954	356	540
Loominster				93
Lowell	343	298	191	221
Lynn	88	58	64	121
Methuen		94	35	47
Milford				11
New Bedford	37	55	55	11
Newton			27	17
Peabody	58	19	28	23
Salem	37		12	29
Somerville				16
Southbridge		39	91	55
Springfield	781	785	805	922
Waltham	57	124	140	34
Westfield	95	73	65	61
Woburn	96	45	35	30
Worcester	403	337	389	336
Greek:				
Boston	203	153		114
Cambridge		31		45
Haverhill			21	25
Lowell	33	35	9	1
Lynn	76	36	36	47
Newton			11	
Peabody	46	9	11	
Quincy				13
Salem	34		10	
Watertown			16	16
Worcester	147	110	157	94
Portuguese:				
Attleboro				19
Boston	151	141		98
Bridgewater			14	14
Brockton	20	29	33	37
Cambridge	321	230	238	225
Chicopee	15	31	31	31
Dartmouth		20	9	
Fall River	595	638		625
Falmouth	21			23
Framingham	22	18		24
Hudson	125			[illegible]
Lawrence	50	78	46	46
Lowell	162	92	79	93
Ludlow			71	
Methuen		23		
New Bedford	738	830	830	1,047
Peabody	150	58	64	47
Milford			26	29
Salem			11	9
Scituate	23	25	29	30
Somerville	355	112	115	134
Springfield	90	127	45	63
Stoughton	112	76	35	50
Taunton	67	43	67	77

CENSUS TOTALS OF CHILDREN AGES 5-19 REPORTED AS ELIGIBLE FOR BILINGUAL EDUCATION PROGRAMS UNDER THE LAW IN MASSACHUSETTS—Continued

	March 1972	October 1972	March 1973	October 1973
Italian:				
Boston	366	261		329
Cambridge	26	25	24	5
Everett	41			
Framingham	11	8		
Gloucester		27	41	16
Lawrence	75	50	22	4
Medford	49			14
Milford			12	4
Newton	73		75	92
Quincy				18
Revere		19	41	60
Somerville	163	58	39	44
Springfield	56	52	45	35
Waltham	67	123	131	46
Worcester		17	28	25
French speaking:				
Boston	187	194		126
Cambridge		12	24	20
Lawrence	182	338	76	70
Waltham	157	199	213	86
Worcester		51	21	
Chinese:				
Boston	422	315		303
Brookline	44	7	19	
Newton			8	

State aid for transitional bilingual education programs, school year ending June 30, 1973

City/town:	State aid
1. Boston	$473, 412. 00
2. Bridgewater	7, 446. 80
3. Brockton	45, 079. 00
4. Cambridge	186, 075. 09
5. Chelsea	29, 928. 00
6. Chicopee	18, 882. 76
7. Everett	7, 164. 00
8. Fall River	130, 335. 15
9. Fitchburg	13, 641. 52
10. Framingham	72, 534. 00
11. Haverhill	32, 771. 96
12. Holyoke	111, 575. 04
13. Hudson	70, 673. 55
14. Lawrence	71, 000. 00
15. Leominster	10, 518. 42
16. Lowell	22, 713. 00
17. Lynn	20, 995. 57
18. Methuen	3, 702. 71
19. New Bedford	137, 567. 43
20. Peabody	5, 402. 00
21. Scituate	10, 891. 82
22. Somerville	23, 196. 17
23. Southbridge	7, 320. 00
24. Springfield	126, 153. 00
25. Waltham	154, 605. 57
26. Westfield	4, 745. 00
27. Woburn	21, 186. 96
28. Worcester	75, 341. 00
29. Maynard	3, 314. 07
30. Medfield	1, 148. 00
Total	1, 899, 319. 50

SUMMARY OF STATUS OF BOSTON BILINGUAL DEPARTMENT, DECEMBER 1973—CENSUS OF CHILDREN—IN-SCHOOL COUNT

	1st language not English	Limited English speaking
Chinese	928	303
French	201	126
Greek	330	114
Italian	652	329
Portuguese	271	98
Spanish	4, 660	2, 340
Other	103	40
Total	7, 145	3, 350

Staffing:	
Administrator	1
Consulting teachers	7
Director/title VII	1
Mental health coordinator	1
Bilingual teachers	144
ESL, title I teachers	23
Total number of teachers	167
Counsellors	5
Community coordinators	3
Teacher aides (city)	45
Teacher aides (title I)	10
Projection, budget fiscal year 1975:	
Additional teachers	50
Additional teacher aides	35
Community coordinators	10

NOTE.—Requests for guidance counsellors, pupil adjustment counsellors, bilingual teachers of children with special needs, kindergarten teachers, etc. are being made to the appropriate departments responsible for these services to all children.

GENERAL SYNOPSIS: TRANSITIONAL BILINGUAL EDUCATION LAW— CHAPTER 71A

The General Court recently passed a mandatory transitional bilingual education law. Each year the school committees throughout the state will be required to determine the number of children of limited English-speaking ability. Where there are more than twenty children of limited English-speaking ability of one language group (children in parochial schools excluded), the school committee will be required by the new law to provide a program in transitional bilingual education.

WHAT DOES A PROGRAM IN TRANSITIONAL BILINGUAL EDUCATION CONSIST OF?

In an educational program of transitional bilingual education, the medium of instruction of all required courses shall be in the student's native language initially and, then, to an increasing degree in English. The instructional objectives of the program are:

(1) Development of reading and writing skills in the native language.

(2) Development of oral comprehension, speaking, reading and writing of English. An integral component of the program in transitional bilingual education shall be instruction in the history and culture of the country of the student's primary language and in the history and culture of the United States. The program shall be a full-time program and shall be up to three years duration for each student.

The intent of the law is *not* to segregate the students of limited English-speaking ability. The transitional bilingual education classes are required to be located in the regular public schools, wherever feasible. Thus, the students can participate with other students in courses which do not require extensive verbalization, such as art, music, and physical education. The students of limited

English-speaking ability should also be given full opportunity to participate in extra-curricular activities. Finally, English-speaking children may be enrolled in the transitional bilingual classes.

The transitional bilingual education classes shall be composed of students of approximately the same age level and level of educational attainment. Classes may also be offered in pre-school programs and summer school programs.

WHO HAS THE RIGHT TO TRANSITIONAL BILINGUAL EDUCATION?

Any child whose primary language is other than English and who has difficulty performing ordinary class-work in English has the right to participate in these classes.

WHAT ARE THE OBLIGATIONS OF THE LOCAL SCHOOL COMMITTEES?

The local school committees shall conduct an annual census to determine the number of children who shall receive transitional bilingual education. This census shall be conducted before March 1 of each year. The school committees shall be responsible for the development of the transitional bilingual education program where there are twenty or more children of limited English-speaking ability in one language group.

The school committees shall notify the parents or legal guardians of the students enrolled in the program no longer than ten (10) days after the student is enrolled in the transitional bilingual education program. The notification of enrollment must be both in English and in the native language of the parents or guardian and must include the following information:

(1) A clear statement of the purpose, method and content of the transitional bilingual education program.

(2) A statement of parental rights which shall include:

(a) visits to the transitional bilingual classes;

(b) conferences with school personnel; and

(c) right to withdraw the student at any time upon written notification to the school authorities.

A school district may accept eligible non-resident students for the transitional bilingual education classes. The tuition and half the transportation costs shall be paid for by the sending school district, subject to eligible reimbursable costs under this law.

School districts may combine with others to provide transitional bilingual education.

WHO MAY TEACH IN THE TRANSITIONAL BILINGUAL EDUCATION CLASSES?

Chapter 71 A creates new certification criteria especially for teachers of transitional bilingual education.

The criteria are:

(1) Possess a speaking and reading ability in a language other than English in which bilingual education is offered and communicative skills in English.

(2) Are in good health.

(3) Are of sound moral character.

(4) Possess a bacheler's degree or an earned higher academic degree or are graduates of a normal school approved by the Board of Education.

(5) Meet such requirements as to courses of study, semester hours therein, experience, and training as may be required by the Board.

(6) Are legally present in the United States and possesses legal authorization for employment.

The school committee may not prescribe additional teacher qualifications, except if they are specifically approved by the Board. Also, a school committee may request a waiver of the certification requirements if it is not able to secure sufficiently certified bilingual teachers. The statute requires that the school committee shall give preference to persons who have been certified as teachers in their native country or place of national origin.

The teachers of transitional bilignual education, including those exempt from the certification criteria, shall be paid by the local school committee at the same level as permanent teachers. Two years of service while teaching under the exemption may be credited toward tenure, once the teacher has fulfilled the certification requirements.

WHAT ARE THE REIMBURSABLE EXPENDITURES?

The State shall reimburse the school districts for the amount of the cost of transitional bilingual education which exceeds the average per pupil expenditure for the education of children of comparable age. The State shall reimburse one half of the district transportation costs.

The authorzied appropriations are as follows:

$1.5 million for 72–73
$2.5 million for 73–74
$2.5 million for 74–75
$4.0 million for 75–76 and subsequent school years.

In the event that reimbursable costs exceed the amount appropriated, reimbursement will be based on a ratio of the maximum State funds available to the total funds expended by all the school committees.

Chapter 71 A provides an additional source of funds for the education of students of limited English-speaking ability. The law does not authorize the school districts to reduce expenditures from local and federal sources, including monies allocate under the feeral Elementary and Secondary Act, for transitional bilingual education.

WHAT ARE THE OBLIGATIONS OF THE DEPARTMENT OF EDUCATION?

The Department of Education will create a unit of Transitional Bilingual Education, headed by a project director.

The responsibilities of the bilingual unit will be:

(1) Administration and enforcement of the law.

(2) Development of guidelines and regulations.

(3) Provision for maximum feasible participation of parents of children of limited English-speaking ability in the planning, development and evaluation of transitional bilingual education programs in the districts serving their children.

(4) Provision for the participation in the formulation of policy and procedures from a wide spectrum of people concerned about the education of children of limited English-speaking ability.

(5) Development of information on relevant resources and materials.

(6) Development of the theory and practice of bilingual education.

(7) Encouragement of experimentation and innovation in bilingual education.

(8) Recommendations in the areas of pre-service training, curriculum and materials development, testing and other areas where needed.

This unit shall also set the maximum student-teacher ratio and prescribe testing instruments for the annual assessment of English skills of students enrolled in transitional bilingual education.

Finally, the unit shall make an annual review of each program to determine if the school committee has complied with the provisions of the Law and its regulations and is eligible for reimbursement.

CHAPTER 1005, THE COMMONWEALTH OF MASSACHUSETTS, IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY-ONE

AN ACT Providing for the establishment and implementation of programs in transitional bilingual education in the public schools of the Commonwealth, with reimbursement by the Commonwealth to cities, towns and school districts to finance the additional costs of such programs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. *Declaration of Policy.*—The General Court finds that there are large numbers of children in the commonwealth who come from environments where the primary language is other than English. Experience has shown that public school classes in which instruction is given only in English are often inadequate for the education of children whose native tongue is another language. The General Court believes that a compensatory program of transitional bilingual education can meet the needs of these children and facilitate their integration into the regular public school curriculum. Therefore, pursuant to the policy of the commonwealth to insure equal educational opportunity to every child, and in recognition of the needs of children of limited

English-speaking ability, it is the purpose of this act to provide for the establishment of transitional bilingual education programs in the public schools, and to provide supplemental financial assistance to help local school districts to meete the extra costs of such programs.

SECTION 2.—The General Laws are hereby amended by inserting after chapter 71 the following chapter:

CHAPTER 71A—TRANSITIONAL BILINGUAL EDUCATION

Section 1.—The following words, as used in this chapter shall, unless the context requires otherwise, have the following meanings:

"Department," the department of education.

"School committee," the school committee of a city, town or regional school district.

"Children of limited English-speaking ability," (1) children who were not born in the United States whose native tongue is a language other than English and who are incapable of performing ordinary classwork in English and (2) children who were born in the United States of non-English speaking parents and who are incapable of performing ordinary classwork in English.

"Teacher of transitional bilingual education," a teacher with a speaking and reading ability in a language other than English in which bilingual education is offered and with communicative skills in English.

"Program in transitional bilingual education," a fulltime program of instruction (1) in all those courses or subjects which a child is required by law to receive and which are required by the child's school committee which shall be given in the native language of the children of limited English-speaking ability who are enrolled in the program and also in English, (2) in the reading and writing of the native language of the children of limited English-speaking ability who are enrolled in the program and in the oral comprehension, speaking, reading and writing of English, and (3) in the history and culture of the country, territory or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled-in the program and in the history and culture of the United States.

Section 2.—Each school committee shall ascertain, not later than the first day of March, under regulations prescribed by the department, the number of children of limited English-speaking ability within their school system, and shall classify them according to the language of which they possess a primary speaking ability.

When, at the beginning of any school year, there are within a city, town or school district not including children who are enrolled in existing private school systems, twenty or more children of limited English-speaking ability in any such language classification, the school committee shall establish, for each classification, a program in transitional bilingual education for the children therein provided, however, that a school committee may establish a program in transitional bilingual education with respect to any classification with less than twenty children therein.

Every school-age child of limited English-speaking ability not enrolled in existing private school systems shall be enrolled and participate in the program in transitional bilingual education established for the classification to which he belongs by the city, town or school district in which he resides for a period of three years or untl such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur.

A child of limited English-speaking ability enrolled in a program in transitional bilingual education may, in the discretion of the school committee and subject to the approval of the child's parent or legal guardian, continue in that program for a period longer than three years.

An examination in the oral comprehension, speaking, reading, and writing of English, as prescribed by the department, shall be administered annually to all children of limited English-speaking ability enrolled and participating in a program in transitional bilingual education. No school committee shall transfer a child of limited English-speaking ability out of a program in transitional bilingual education prior to his third year of enrollment therein unless the parents of the child approve the transfer in writing, and unless the child has received a score on said examination which, in the determination of the department, reflects a level of English language skills appropriate to his or her grade level.

If later evidence suggests that a child so transferred is still handicapped by an inadequate command of English, he may be reenrolled in the program for a length of time equal to that which remained at the time he was transferred.

Section 3.—No later than ten days after the enrollment of any child in a program in transitional bilingual education the school committee of the city, town or the school district in which the child resides shall notify by mail the parents or legal guardian of the child of the fact that their child has been enrolled in a program in transitional bilingual education. The notice shall contain a simple, non-technical description of the purposes, method and content of the program in which the child is enrolled and shall inform the parents that they have the right to visit transitional bilingual education classes in which their child is enrolled and to come to the school for a conference to explain the nature of transitional bilingual education. Said notice shall further inform the parents that they have the absolute right, if they so wish, to withdraw their child from a program in transitional bilingual education in the manner as hereinafter provided.

The notice shall be in writing in English and in the language of which the child of the parents so notified possesses a primary speaking ability.

Any parent whose child has been enrolled in a program in transitional bilingual education shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from said program by written notice to the school authorities of the school in which his child is enrolled or to the school committee of the city, town or the school district in which his child resides.

Section 4.—A school committee may allow a non-resident child of limited English-speaking ability to enroll in or attend its program in transitional bilingual education and the tuition for such a child shall be paid by the city, town, or the district in which he resides.

Any city, town or school district may join with any other city, town, school district or districts to provide the programs in transitional bilingual education required or permitted by this chapter.

The commonwealth, under section eighteen A of chapter fifty-eight, shall reimburse any city, town or district for one-half of the cost of providing transportation for children attending a program in transitional bilingual education outside the city, town or district in which they reside.

Section 5.—Instruction in courses of subjects included in a program of transitional bilingual education which are not mandatory may be given in a language other than English. In those courses or subjects in which verbalization is not esential to an understanding of the subject matter, including but not necessarily limited to art, music and physical education, children of limited English-speaking ability shall participate fully with their English-speaking contemporaries in the regular public school classes provided for said subjects. Each school committee of every city, town or school district shall ensure to children enrolled in a program in transitional bilingual education practical and meaningful opportunity to participate fully in the extra-curricular activities of the regular public schools in the city, town or district. Programs in transitional bilingual education shall, whenever feasible, be located in the regular public schools of the city, town or the district rather than separate facilities.

Children enrolled in a program of transitional bilingual education whenever possible shall be placed in classes with children of approximately the same age and level of educational attainment. If children of different age groups or educational levels are combined, the school committee so combining shall ensure that the instruction given each child is appropriate to his or her level of educational attainment and the city, town or the school districts shall keep adequate records of the educational level and progress of each child enrolled in a program. The maximum student-teacher ratio shall be set by the department and shall reflect the special educational needs of children enrolled in programs in transitional bilingual education.

Section 6.—The board of education, hereinafter called the board, shall grant certificates to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. The requirements of section thirty-eight G of chapter seventy-one shall not apply to the certification of teachers of transitional bilingual education. Teachers of transitional bilingual education, including those serving under exemptions as provided in this section, shall be compensated by local school committees not less than a step on the regular salary schedule applicable to permanent teachers certified under said section thirty-eight G.

The board shall grant certificates to teachers of transitional bilingual education who present the board with satisfactory evidence that they (1) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English (2) are in good health, provided that no applicant shall be disqualified because of blindness or defective hearing; (3) are of sound moral character; (4) possess a bachelor's degree or an earned higher academic degree or are graduates of a normal school approved by the board; (5) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the board, and (6) are legally present in the United States and possess legal authorization for employment.

For the purpose of certifying teachers of transitional bilingual education the board may approve programs at colleges or universities devoted to the preparation of such teachers. The institution shall furnish the board with a student's transcript and shall certify to the board that the student has completed the approved program and is recommended for a teaching certificate.

No person shall be eligible for employment by a school committee as a teacher of transitional bilingual education unless he has been granted a certificate by the board provided, however, that a school committee may prescribe such additional qualifications, approved by the board. Any school committee may upon its request be exempted from the certification requirements of this section for any school year in which compliance therewith would be in the opinion of the department constitute a hardship in the securing of teachers of transitional bilingual education in the city, town or regional school district. Exemptions granted under this section shall be subject to annual renewal by the department.

A teacher of transitional bilingual education serving under an exemption as provided in this section shall be granted a certificate if he achieves the requisite qualifications therefor. Two years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring the status of serving at the discretion of the school committee as provided in section forty-one of chapter seventy-one, and said two years shall be deemed to immediately precede, and be consecutive with, the year in which a teacher becomes certified. In requesting an exemption under this section a school committee shall give preference to persons who have certified as teachers in their country or place of national origin.

All holders of certificates and legal exemptions under the provisions of section thirty-eight G of chapter seven-one who provide the board with satisfactory evidence that they possess a speaking and reading ability in a language other than English may be certified under this section as a teacher of transitional bilingual education.

Nothing in this chapter shall be deemed to prohibit a school committee from employing to teach in a program in transitional bilingual education a teacher certified under section thirty-eight G of chapter seventy-one, so long as such employment is approved by the department.

Section 7.—A school committee may establish on a full or part-time basis pre-school or summer school programs in transitional bilingual education for children of limited English-speaking ability or join with the other cities, towns, or school districts in establishing such pre-school or summer programs. Pre-school or summer programs in transitional bilingual education shall not substitute for programs in transitional bilingual education required to be provided during the regular school year.

Section 8.—The costs of the programs in transitional bilingual education required or permitted under this chapter, actually rendered or furnished, shall, for the amount by which such costs exceed the average per pupil expenditures of the city, town or the school district for the education of children of comparable age, be reimbursed by the commonwealth to the city, town or regional school districts as provided in section eighteen A of chapter fifty-eight.

Reimbursement shall be made upon certification by the department that programs in transitional bilingual education have been carried out in accordance with the requirements of this chapter, the department's own regulation, and approved plans submitted earlier by city, town or the school districts, and shall not exceed one and one-half million dollars for the first year, two and one-half million dollars per year for the second and third years, and four million dollars per year for the fourth and subsequent years of programs in transitional bilingual education. In the event that amounts certified by the department for reimbursement under this section exceed the available state funds therefor, reimbursement of approved programs shall be made based on the ratio of the maximum available state funds to the total funds expended by all of the school committees in the commonwealth.

Nothing herein shall be interpreted to authorize cities, towns or school districts to reduce expenditures from local and federal sources, including monies allocated under the federal Elementary and Secondary Education Act, for transitional bilingual education programs.

The costs of programs in transitional bilingual education, other than those actually reimbursed under this chapter, shall be reimbursable expenditures within the meaning of chapter seventy, and shall be reimbursed under said chapter.

Section 9.—In addition to the powers and duties prescribed in previous sections of this chapter, the department shall exercise its authority and promulgate rules and regulations to achieve the full implementation of all provisions of this chapter. A copy of the rules and regulations issued by the department shall be sent to all cities, towns and school districts participating in transitional bilingual education.

SECTION 3.—Subsection (*b*) of chapter 58 of the General Laws is hereby amended by striking out paragraph (3), as appearing in section 7 of chapter 546 of the acts of 1969, and inserting in place thereof the following paragraph:

(3) On or before November twentieth, the reimbursements for the special education programs required to be paid by the commonwealth under chapters sixty-nine, seventy-one and seventy-one A.

SECTION 4.—Chapter 69 of the General Laws is hereby amended by inserting after section 34 under the caption Bureau of Transitional Education the following section:

Section 35.—There shall be established within the department, subject to appropriation, a bureau of transitional bilingual education which shall be headed by a project director. The project director shall be appointed by the board of education upon the recommendation of the commissioner, and said project director shall have the minimum qualifications of a bachelor degree in either business administration, liberal arts, or science, and shall have at least two years of documented administrative or teaching experience. The project director shall file a quarterly report with the board of education, the clerk of the house of representatives and the clerk of the senate.

The bureau for transitional bilingual education shall be charged with the following duties: (1) to assist the department in the administration and enforcement of the provisions of chapter seventy-one A and in the formulation of the regulations provided for in said chapter; (2) to study, review, and evaluate all available resources and programs that, in whole or in part, are or could be directed toward meeting the language capability needs of children and adults of limited English-speaking ability resident in the commonwealth; (3) to compile information about the theory and practice of transitional bilingual education in the commonwealth and elsewhere, to encourage experimentation and innovation in the field of transitional bilingual education, and to make an annual report to the general court and the governor; (4) to provide for the maximum practicable involvement of parents of children of limited English-speaking ability in the planning, development, and evaluation of transitional bilingual education programs in the districts serving their children, and to provide for the maximum practicable involvement of parents of children of limited English-speaking ability, teachers and teachers' aides of transitional bilingual education, community coordinators, representatives of community groups, educators and laymen knowledgeable in the field of transitional bilingual education in the formulation of policy and procedures relating to the administration of chapter seventy-one A by the commonwealth; (5) to consult with other public departments and agencies, including but not limited to the departmente of community affairs, the department of public welfare, the division of employment security, and the Massachusetts commission against discrimination, in connection with the administration of said chapter; (6) to make recommendations to the department in the areas of pre-service and in-service training for teachers of transitional bilingual education programs, curriculum development, testing and testing mechanisms, and the development of materials for transitional bilingual education courses, and (7) to undertake any further activities which may assist the department in the full implementation of said chapter.

SECTION 5.—Chapter eight hundred and fifty-two of the acts of nineteen hundred and seventy is hereby repealed.

HOUSE OF REPRESENTATIVES,
October 26, 1971.

Passed to be enacted, THOMAS W. McGEE, Acting Speaker.
David M. Bartley.

REGULATIONS FOR THE USE IN ADMINISTERING PROGRAMS IN TRANSITIONAL BILINGUAL EDUCATION AS PROVIDED FOR IN CHAPTER 71A OF THE GENERAL LAWS

1. All provisions contained within the Transitional Bilingual Education Act, Mass. G.L. Ch. 71A, are hereby incorporated in these regulations by reference.

2. For the 1972–73 school year, school districts participating in the Transitional Bilingual Education program shall comply with the current school census law, Mass. G. L. Ch. 72, Sec. 2, and any regulations and/or guidelines promulgated by the Commissioner of Education respecting the census.

3. For the 1973–1974 school year and thereafter, each school committee shall conduct a census not later than March 1 of each year, of the number of children of limited English speaking ability resident in the district. Such census shall count children resident in the district both in and out of school. In making such census the school committees shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which have access to or information about children of limited English-speaking ability resident in the district. Every effort shall be made to keep the census current.

4. Each school district shall designate one regular employee principally responsible for the school district's census taking activities under the Act.

5. School or non-school personnel conducting the census shall be able to communicate in the home language of the children being counted.

6. Children of limited English-speaking ability shall mean those children who met the statutory requirements of native tongue and parentage and who have difficulty performing ordinary classwork in English due to problems handling the English language.

7. Each school district shall classify children of limited English-speaking ability within the district by the language a teacher of Transitional Bilingual Education qualified under Section 6, of the Act and the regulations designates as the child's primary language, or the language a parent of such child identifies as the child's primary language. Such language classifications shall correspond to living foreign languages such as Spanish, Portuguese, Chinese, French, Italian, Greek, etc.

8. A local project director, supervisor, or teacher in charge of Transitional Bilingual Education qualified under Section 6 of the Act and the regulations shall annually evaluate every child considered for placement in Transitional Bilingual Education and determine whether the child is of limited English speaking ability and therefore eligible for a Transitional Bilingual Education program. Such determination shall be made according to guidelines established by the Bureau of Transitional Bilingual Education, and summarized in a short narrative statement entered in the child's school record. No child shall be placed in the Transitional Bilingual Education program unless such evaluation has been made. Every child determined to be eligible shall be placed in a Transitional Bilingual Education program according to the provisions of Section 3 of the Act. In initially establishing Transitional Bilingual Education programs for all eligible children, priority shall be given to establishment of Transitional Bilingual Education programs for younger children. The parent of any child resident in the school district may request evaluation of his/her child for Transitional Bilingual Education, and the school district shall provide such evaluation upon parental request.

9. When, at the beginning of any school year, there are within a city, town or school district not including children who are enrolled in existing private school systems, twenty or more children of limited English speaking ability in any such language classification, the school committee shall establish, for each classification, a program in Transitional Bilingual Education for all the

children therein; provided, however, that a school committee may establish a program in Transitional Bilingual Education with respect to any classification with less than twenty children therein.

10. No school district shall enroll children of limited English speaking ability of different primary language backgrounds in the same Transitional Bilingual Education class, without prior approval of the Bureau of Transitional Bilingual Education.

REIMBURSEMENT

11. The costs of instruction, training and support, including the cost of Transitional Bilingual Education personnel, materials and equipment, tuition, intradistrict transportation, and consultant services, of the children in Transitional Bilingual Education clases under Chapter 71A, shall, for the amount by which such costs exceed the average per pupil expenditure of the school district for the education of children of comparable age, be reimbursed by the Commonwealth. Such reimbursement shall be made only after approval and certification by the Bureau of Transitional Bilingual Education that funds for Transitional Bilingual Educational personnel, materials and equipment, tuition, intra-district transportation and consultant services were actually expended and that Transitional Bilingual Education classes have met the standards and requirements prescribed by the Act and the regulations.

12. An extra cost figure from 250 dollars to 500 dollars per pupil is considered reasonable for reimbursement under the Transitional Bilingual Act. Extra cost figures in excess of 500 dollars per pupil may be reimbursable under the Act. Considerations justifying extra per pupil cost expenditures in excess of 500 dollars will include planning costs of Transitional Bilingual Education programs, newness of programs, rapid expansion of existing programs, curriculum development, and material acquisition.

13. Determination of the extra costs of programs in Transitional Bilingual Education shall be made in conformity with accounting standards now in use, developed and to be developed by the Department of Education.

14. The costs of tuition for teachers or teacher aides training programs, when the teacher or teacher aide will teach or aide in teaching the Transitional Bilingual Education program in the following semester or school year shall be reimbursable up to an amount not exceeding 5 percent of the total reimbursable costs under this Act.

15. Extra costs of providing intra-district transportation for students enrolled in Transitional Bilingual Education programs shall be reimbursable expenses under the Act. However, no intra-district transportation expenses shall be reimbursable unless children of limited English-speaking ability cannot be accommodated within existing intra-district transportation schemes, other state transportation funds are not available, and the Bureau of Transitional Bilingual Education has approved such intra-district transportation as necessary for carrying out the purposes of the Act.

16. No school district shall decrease the level of local expenditure devoted to programs in Transitional Bilingual Education without prior approval of the Bureau of Transitional Bilingual Education.

17. No school district shall divert federal funds now expended on the education of children of limited English-speaking ability to other uses without prior approval of the Bureau of Transitional Bilingual Education. However, school districts may use federal funds for educational programs of benefit to children of limited English-speaking ability not satisfying the definition of Transitional Bilingual Education contained in the Act. It is recommended that federal monies be used for non-reimbursable and non-reimbursed costs of programs in Transitional Bilingual Education and other programs benefitting children of limited English-speaking ability.

18. In the event that reimbursable expenditures under the Act exceed total available state money for reimbursement, local districts shall receive reimbursement calculated as follows:

$$\%\ \text{reimbursement} = \frac{\text{total available state money.}}{\text{Total reimbursable expenditures under Ch. 71A}}$$

$$\text{local district reimbursement} = \%\ \text{reimbursement} \times \text{local reimbursable expenditures}$$

19. Costs of Transitional Bilingual Education programs other than those actually reimbursed under the Act, shall be "reimbursable expenditures" within the meaning of Mass. G.L. Ch. 70, and shall be reimbursed under said Chapter.

20. Programs in Transitional Bilingual Education shall mean a full-time program of instruction (1) in all those courses or subject which a child is required by law to receive and which are required by the child's school district in the native language of the children of limited English-speaking ability who are enrolled in the program and in English; (2) in the reading and writing of the native language of the children of the program and in the aural comprehension, speaking, reading and writing of English, and (3) in the history and culture of the country, territory or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States.

21. Instruction in courses of subjects included in a program of Transitional Bilingual Education which are not mandatory may be given in a language other than English. In those courses or subjects in which verbalization is not essential to an understanding of the subject matter, including but not necessarily limited to art, music and physical education, children of limited English speaking ability shall participate fully with their English speaking contemporaries in the regular public school classes provided for said subjects. Each school committee of every city, town or school district shall ensure to children enrolled in a program in Transitional Bilingual Education practical and meaningful opportunity to participate fully in the extra-curricular activities of the regular public schools in the school district. Programs in Transitional Bilingual Education shall be located in regular public school rather than separate facilities, unless such location is shown to be not feasible and is approved by the Bureau of Transitional Bilingual Education.

22. Every school-age child of limited English speaking ability not enrolled in existing private school systems shall be enrolled and participate in the program in Transitional Bilingual Education for a period of three years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur. A child of limited English speaking ability enrolled in a program in Transitional Bilingual Education may, in the discretion of the school committee and subject to the approval of the child's parent or legal guardian, be continued in that program for a period longer than three years.

23. Transitional Bilingual Education programs shall be designed and conducted so that students enrolled in such programs can achieve skills in aural comprehension, speaking, reading and writing of English sufficient to perform ordinary classwork in English within the three year transitional period.

24. The maximum student-teacher ratio shall be 15:1, except that the student-teacher ratio may be 20:1 where a native speaking teacher's aide is assigned to a Transitional Bilingual Education class, or a non-native speaking teacher's aide is assigned to a Transitional Bilingual Education class taught by a native speaker of the primary language of the children enrolled in the Transitional Bilingual Education program.

25. It is highly recommended that native speaking teacher aides be utilized in conjunction with Transitional Bilingual Education programs. Teacher aides should possess a speaking ability in the primary language of the children enrolled in the Transitional Bilingual Education program to which they are assigned. Wherever possible, it is recommended that such teacher aides be paid out of Title I funds, federal Elementary and Secondary Education Act.

26. The age spread in any Transitional Bilingual Education class shall be no more than 3 years from the oldest to the youngest child, except that the age spread in any Transitional Bilingual Education kindergarten class shall be no more than one year from the oldest to the youngest child.

27. The regulations shall be interpreted as encouraging experimentation or innovation in teaching Transitional Bilingual Education classes, including the use of such teaching techniques and devices as open clasrooms, team teaching, etc. Programs in Transitional Bilingual Education need not duplicate courses of instruction in English and the native language. Ideas have no language.

28. Children enrolled in programs in Transitional Bilngual Education shall be taught the history and culture of their own background and the history and culture of the United States and to draw upon and balance both. Instruction in history and culture shall not stress memorization but knowledge which will encourage a student to keep and respect his own heritage and draw upon and understand the American way of life.

29. Children of limited English speaking ability shall receive full regular program credit for all years completed and courses taken in programs for Transitional Bilingual Education. Children of limited English speaking ability who move from programs in Transitional Bilingual Education of one school or school district to the Transitional Bilingual Education program of another school or school district shall do so without loss of grade.

30. It is highly recommended that school districts utilize full or part time native-speaking community coordinators who shall act as liaison between the school district and the parents of children of limited English speaking ability and visit the homes of the children in order to exchange information about the Transitional Bilingual Education program.

31. It is highly recommended that school districts utilize full or part-time native speaking guidance or pupil adjustment counselors in Transitional Bilingual Education programs.

32. School districts participating in Transitional Bilingual Education programs shall take measures to assure adequate administration of the programs. A school district administering a Transitional Bilingual Education program for 200 or more children shall appoint a local project director, supervisor, or teacher in charge of its Transitional Bilingual Education program. The local project director, supervisor, or teacher in charge shall be qualified to teach in a Transitional Bilingual Education program and shall exercise supervisory responsibility over the district's Transitional Bilingual Education program.

33. School districts participating in Transitional Bilingual Education programs shall designate a committee of three or more members, including one or more representatives each from the school admiinstration, Transitional Bilingual Education Program, and Parent Advisory Committee, who shall be responsible for conducting an annual review of the district's Transitional Bilingual Education programs and reporting its conclusions to the Bureau of Transitional Bilingual Education and the school committee. Such committee shall insure the district's awareness of regulations, guidelines, and communications between the Department of Education and the local districts.

34. School districts shall send progress reports to parents of children enrolled in Transitional Bilingual Education programs in the same manner and frequency as progress reports sent to parents of other children enrolled in the school district. Such progress reports shall be written in English and the native language of the parents of children enrolled in the program.

35. Children enrolled in Transitional Bilingual Education programs shall have full access to special and other educational services available to other children in local school districts.

PRESCHOOL AND SUMMER PROGRAMS

36. Preschool or summer school Transitional Bilingual Education programs shall comply with the statutory definition of Transitional Bilingual Education, except that such preschool or summer Transitional Bilingual Education programs may be full or part-time.

37. A school district may provide a kindergarten program in Transitional Bilingual Education, and the extra costs of such programs shall be reimbursable expenditures under Section 7 of the Act. One year of a kindergarten program in Transitional Bilingual Education may be counted toward the three year Transitional Bilingual Education programs required or permitted under the Act. School districts are highly encouraged to provide kindergarten programs in Transitional Bilingual Education.

PARENT PARTICIPATION

38. For the 1973–74 school year and thereafter, each school district operating a Transitional Bilingual Education program shall establish a Parent Advisory Committee (PAC) on Transitional Bilingual Education. The Parent Advisory Committee shall be comprised of parents of children of limited English speaking ability enrolled in Transitional Bilingual Education programs. The Parent Advisory Committee shall have at least 5 members, including one or more representatives from every language group in which Transitional Bilingual Education is conducted in the district. Members of the Parent Advisory Committee shall be selected in a manner which fairly represents the view of parents of children in Transitional Bilingual Education programs.

39. The Parent Advisory Committee shall meet regularly with school officials, and at least once annually with the school committee, to participate in the planning, development and evaluation of the district's Transitional Bilingual Education program. Members of the PAC shall have access to Transitional Bilingual Education program records.

40. The Parent Advisory Committee may appoint subcommittees (sub-PACs) for different language groups and/or schools participating in the district's Transitional Bilingual Education program.

41. After the 1972–1973 school year, no plan shall be approved under this Act which has not been submitted in advance to the chairman and each member of the Parent Advisory Committee.

42. Parents of children of limited English speaking ability enrolled in Transitional Bilingual Education programs who are members of Title I Parent Advisory Committees shall be eligible to participate on Parent Advisory Committees established under the Act and regulations.

ENGLISH SPEAKING CHILDREN

43. Transitional Bilingual Education programs may include children of English speaking ability subject to the notification and withdrawal provisions of Section 3 of the Act.

JOINT PROGRAMS

44. School districts establishing joint programs under Section 4 of the Act may establish such financial arrangements as they see fit, including tuition arrangements, and shall work out equitable reimbursement arrangements with the Bureau of Transitional Bilingual Education and the Department of Education, according to guidelines promulgated by the Department of Education.

NOTICE AND WITHDRAWAL

45. No later than ten days after the enrollment of any child in a program in Transitional Bilingual Education the school committee of the city, town or the school district in which the child resides shall notify by mail the parents or legal guardian of the child of the fact that their child has been enrolled in a program in Transitional Bilingual Education. The notice shall contain a simple, non-technical description of the purposes, method and content of the program in which the child is enrolled and shall inform the parents that they have the right to visit Transitional Bilingual Education classes in which their child is enrolled and to come to the school for a conference to explain the nature of Transitional Bilingual Education. Said notice shall further inform the parents that they have the absolute right, if they so wish, to withdraw their child from a program in Transitional Bilingual Education in the manner as hereinafter provided. The notice shall be in writing in English and the language of which the child of the parents so notified possess a primary speaking ability.

46. It is recommended that notice of enrollment in Transitional Bilingual Education programs be sent to the parents as soon as practicable preferably in the weeks preceding opening of school.

47. Parents shall have an absolute right to withdraw their children from Transitional Bilingual Education programs unconditionally at any time up to one month from the date they receive notice of enrollment. Thereafter, they may exercise their right to withdraw only at the end or beginning of a semester, or with permission of a teacher of Transitional Bilingual Education qualified under Section 6 of the Act and the regulations.

48. Parents of children of limited English speaking ability enrolled in Transitional Bilingual Education programs shall have access to their children's individual schools records and shall have the right to visit Transitional Bilingual Education classes in which their children are enrolled. Parents shall also have the right to request and receive a conference with a Transitional Bilingual Education teacher qualified under Section 6 of the Act and the regulations, relating to the nature and purposes of the Transitional Bilingual Education program, and their children's progress in school.

PLANS

49. For the 1972–1973 school year, school districts participating in the Transitional Bilingual Education programs shall submit such letters of intent

and plans as may reasonably be required by the Bureau of Transitional Bilingual Education to determine whether the school district is in compliance with the Act and the regulations. For the 1973–1974 school year and thereafter, school districts shall submit letters of intent and plans in accordance with sections 50 through 56 of the regulations.

50. For the 1973–1974 school year and thereafter, school districts shall submit letters of intent for programs in Transitional Bilingual Education to the Bureau of Transitional Bilingual Education by December 1st of the school year preceeding the implimentation of a program in Transitional Bilingual Education. Such letter of intent shall contain a short narrative description of the proposed Transitional Bilingual Education program. The Bureau of Transitional Bilingual Education shall provide the school district a response in writing by February 1st of the school year preceding the implementation of a program in Transitional Bilingual Education.

51. School districts shall submit plans for programs in Transitional Bilingual Education to the Bureau of Transitional Bilingual Education by March 31st of the school year preceding the implementation of a program in Transitional Bilingual Education. Such plans shall comply with the Act and the regulations and shall contain information required by the Bureau to determine whether the school district is in compliance with the Act and the regulations. Plans shall be submitted in accordance with guidelines and forms to be prepared by the Bureau of Transitional Bilingual Education.

52. Plans shall set forth steps taken towards a census of children of limited English speaking ability resident in the school district.

53. Plans shall describe the ways and means by which a Transitional Bilingual Education program will teach the history and culture of the native land of children of limited English speaking ability resident in the school district.

54. Allowance shall be made for school districts adopting an 18 month budget for purposes of conversion ~~to a~~ school accounting system by fiscal year.

55. No program in Transitional Bilingual Education shall be eligible for reimbursement which has not submitted a plan approved by the Bureau of Transitional Bilingual Education. The Bureau shall process and approve such plans or recommend changes in such plans by May 15th of the school year preceding the implementation of a program in Transitional Bilingual Education.

56. Plans submitted for approval of Transitional Bilingual Education programs shall contain Transitional Bilingual Education program projections for the following two school years. Such projections shall be regularly updated for submission with plans for following school years.

BOARD OF EDUCATION

57. The Board of Education may upon petition of a school committee waive any of the provisions of these regulations as to any particular district for such time as may to the Board seem reasonable to avoid undue hardship to such district.

STATEMENT OF SISTER FRANCIS GEORGIA VICENTE, ADVOCATE FOR LINGUISTIC MINORITIES, BUREAU OF EQUAL EDUCATION OPPORTUNITY, DEPARTMENT OF EDUCATION, BOSTON, MASS.

Sister VICENTE. Thank you, Madam Chairman and honorable members of the committee.

I have to in conscience add something to that kind of ponderous introduction because I am another person also.

Soy María del Pilar Vicente de Sangre Española y Corazón Puertorriqueño.

It was like a homecoming when I met Mr. Cruz this morning. I found out I taught all his sisters and brothers in Puerto Rico, so I would like to inject a little of the human element. I know you have been deluged with statistics and all the reasons why bilingual education should exist. Having been involved in the bilingual law, I assure you statistics are important, but please allow me to dwell on the cultural part.

When I spoke in Spanish, I became another person causing me to feel the roots of my ancestors in Spain. I can go through Madrid and feel at home, yet I can speak as an American since I was born in New York and feel comfortable in this culture also. We can only become more of what we really are when we understand and feel the roots of what we were. Then we can become better Americans. And what is to be an American, really?

If all of us look back into the history of our ancestry, we don't have to go too far before we touch the immigrant part of our family. And yet, what do we have to show for the glorious kaleidoscope of diversity with which we could have enriched the history of our Nation instead of having adhered to the melting pot theory: that we all go into a pot and we are all going to come out somehow American. What does that mean?

I am so glad my parents escaped the melting pot. When I walked into our home, it was the most wonderful thing in the world to be a little Spanish girl even if on the streets of New York they called me a "Spick." But I could understand that pressure from the outside. Because I did not speak English, therefore, it was implicit I was "different from" and "less than" they.

If a professor in a university speaks with an accent, that is something awesome. But if a poor little Puerto Rican child on the street says, "Me no Puerto Rican, me American,"—"that is right, boy, get rid of what you think is not American and get assimilated." Yet, when Americans go abroad they expect every cab driver and waiter to help them in their need by speaking English.

We have 500 million people in our Western Hemisphere, of whom 198 million speak Spanish as their primary language. But we look south of the border and we say, "You people get educated, learn English," and we sit back here as a monolingual nation and don't feel we need to extend ourselves just in the human relationships of acknowledging and respecting the background of these hundreds of millions.

In our own country, more than 10 million are Spanish-speaking. It is closing in on us in the Southwest. We know the history there. Puerto Ricans are moving into all the eastern cities as far West as Chicago. It is closing in on us in the East also. We can't miss it. We are the fifth largest Spanish-speaking nation in the world, exceeded only by Mexico, Spain, Argentina and Colombia. So it is time this whole idea that we are "catering" to non-English-speaking children or peoples, or that we are giving them some crumbs of our benefits here should turn the other way. What great resources have we wasted? We are a great people for natural resources in the United States. What about our human resources that we failed to cultivate?

So I would like to put two things forth: The human element, which I will go into in just a moment, and the great human resources that we have lost by putting our immigrants historically into the melting pot.

What about the human element? We feel that understanding among nations is going to bring peace. But nations are made up of people, and people come down to personal relationships. The persons of multilingual groups we have in our Nation are the first we have to address ourselves to before we want Kissinger to run around the world trying to solve its problems.

Let us analyze the Puerto Rican migration and the cultural shock its people endure. Why do they come up? That is a whole socioeconomic and political thing that I cannot take your time to explain, but the realities of their existence forces them to look elsewhere.

I was in Puerto Rico 25 years ago when country people raised their chickens and vegetables and brought them into town to sell. I went back 2 or 3 years ago after over 20 years and those country people were practically starving because they cannot compete in selling their live native chickens in competition with the supermarkets that have moved into Puerto Rico, taxfree, because of "Operation Bootstrap" and all the wonderful things industrialization was to do to the Island. But the dear children are poorer today than they were then, and therefore the families have to sell a few little pigs to come to Boston on a cold snowy day.

The concept of cold to them is 60 degrees on a winter day. In an airport in San Juan an interesting thing happened—there is a florist there and he watched this family of 10 children with their parents getting ready to get on a flight. He invited them into the florist shop and said, "Come see this." He put them into a walk-in refrigerator and closed the door for 1 minute. They came out blue.

He said, "That is what you are going to meet." They had no conception of what real "cold" means.

So they come to Boston and if they are very lucky a social worker ferrets them out in a little cold water flat. She says, "Your child has to go to school," which of course the mother and father always expected him to do. But, inundated with all the problems of survival, all of a sudden school on a hill somewhere becomes kind of a far-off idea. So the worker, perhaps myself, brings them into the school office and there sits the principal who is very proper and knows her business.

She says to me, "What is the child's name?" I say, Juan Ramon Garcia Lopez. She hears this long strange name. She doesn't know what was said. I explain that Spanish people have two surnames. She says, "We don't need all those last names," so she starts by cutting off the last name. It is the mother's surname and the mother is deeply hurt. She has lost her maternity. If the principal cuts off the other surname, which is the father's, all of a sudden the child becomes illegitimate. This is just one cultural hurdle.

Next, the principal asks that the mother "produce the birth certificate. The mother says to me, Why does she need a piece of paper to prove my child was born when he is standing there?"

Then we start with "shots." Polio? Is he vaccinated? If the mother knows one English word, it is "bang, bang." She watches westerns. The end result is that the mother takes her children home, hides them under a bed, and you don't see those children in school again.

Now if we get through all that and I can coax her—she loves the sisters and she trusts me with her children—I put them in school. What did we have to offer up to a short time ago? Children sitting in a classroom vegetating, frightened with all kinds of hostile pressures, racially—and I have to bring this in—they are too light for the blacks, they are too dark for the whites. All of a sudden they have to identify whether they are white or nonwhite and they go home and ask their mother.

So please, these are the things in a human way that we are to become sensitive to. The child is not going to learn to speak English or learn to read Spanish or anything else, if he is so scared, if he is so uncomfortable, if he does not know why he is there. If nobody understands him as a person, let alone linguistically, he is going to be a school dropout.

I must inject this part. Don't forget the human element, please. This is why we need Puerto Rican teachers to relate to children from the Island. This is why we need our Anglo professionals to become sensitized.

Now we come to the issue of where does the responsibility lie, and here I have very strong feelings of shared responsibility. This brings me to our Massachusetts situation. We were the first State, as you know, in 1971 to pass the first mandated bilingual law. That word "mandated" is so important. I am sure you all have had the experience of sitting at school committee meetings to beg for some compensatory program—"Please may I have the crumbs" for a marginal purpose like, for example, non-English-speaking children.

But where does the responsibility lie? The local district has the obligation to educate every child in that district up to the limit of its resources. Boston in round numbers spends $900 per capita expenditure. Whether that child is sitting there frightened to death, vegetating, or drops out, that expenditure takes place. What made the Massachusetts law palatable was it had a realistic cost factor. We expect the district to pay that much, $900 in Boston, and the State reimburses the excess per capita that is spent in the more specialized bilingual program because of the lower pupil-teacher ratio. With the specialized materials and other ancillary things that are needed it may cost $1,200. The State reimburses the difference. So, Boston puts in the $900, the State reimburses the city $300, and everybody has done his share.

Now where does the Federal effort come in? I would not dare tell you what I need. Symbolically speaking—a classroom, a teacher, a book is basically what a local program can provide. In other words, the limit to the budgets of the States could not bring in all the help required, let's say, for the teacher training program, which is tremendous.

I heard the figure of 80,500 bilingual teachers needed in the United States today.

Mr. MEEDS. That is just Spanish-speaking.

Sister VICENTE. But they are by far the largest group, you know. There are 10.5 million Spanish-speaking; 3 or 4 million more with all the other linguistic minorities included. In Boston or in Massachusetts we have six linguistic minorities—Spanish, Italian, French, Greek, Chinese and Portuguese. 85 percent of the Portuguese in the United States reside in southeastern Massachusetts. From the whaling days of Moby Dick there have been five generations. 58 percent of New Bedford is Portuguese, yet only 2 percent are in professional jobs. Results? Is it that all the Portuguese are stupid? Look back in history. They were the great sailors and great mapmakers. What happened? The melting pot theory! They got lost. They were the fishermen and later the millhands, and still are. They never got the education which is the only self-help that makes people grow to the stature that they are able to attain because they have the depth of their culture behind them. They are a wounded people, different from, and consequently regarded as less than.

So with the Italians. I was glad to see a Mario and a Romano and an Alphonzo on this committee. We do not all have to be Helen Smith, do we?

Now to get back to the responsibility of those 85,000 teachers. If we have 10 percent or more Spanish-speaking in the United States of the whole total population—85,000 teachers is not even 1 percent of that Spanish-speaking population. So why should teachers' unions get so upset?

Everywhere there is a surplus of teachers. Massachusetts has 5,000 certified teachers without a job, so when I go around asking for extra slots for Puerto Rican teachers it is a wonder I am still alive. But are we trying to continue to perpetuate jobs for teachers—and I respect their need of a job—or are we going to meet the needs of children standing there being lost and then filling the welfare ranks in the future, subject to drug addiction, all the problems that go with school dropouts, with people who cannot read or write, and who are functionally illiterate in two languages. They speak Spanish, but cannot read and write it. Their English is poor and they are rarely up to par academically, so they are losers in two worlds.

Now to get back to the practical part. The district should bear the basic cost of education. The State can add the excess per capita for the bilingual cost. Then we need the higher funds from the Federal Government for massive teacher preparation, especially the extra preparation for bilingual teachers. Furthermore, if we don't give these children even in a bilingual program a marketable skill, that piece of paper that says they came through with a general diploma from a high school is selling them down the line. They still have no vocational training. Here is an area that calls for special Federal funds.

We need help for our administration of programs on the State level. The last time I was in Albany—at the New York State Department Bilingual Office they had a heroic director, a sister helping him, and a secretary—three people in a State that has one-third the population of Puerto Rico residing in it with 250,000 Puerto Rican school-age children alone. In Massachusetts we have a director and three supervisors for the whole State. We need extra help. We need specialists in curriculum, in teacher assessment and in testing at the State level who can give technical assistance throughout the State for emerging programs.

We need all kinds of research. We are all running around trying to get resources while we are busy at multiple tasks because we cannot stop. We have 5 million children needing to be helped now.

So, in my written testimony, which is nothing of what I have said now, you will read the individual needs which I am sure have been reiterated because everybody knows them. Senators Kennedy, Cranston, and Montoya have presented legislation already to the Senate that speaks in terms of $250 million budget. We are now only spending $35 million, and as I heard someone say a billion, my heart soared because we have 5 million children who need bilingual programs in order to survive educationally. This is a national problem.

Now I open the discussion for any questions on specifics.

Mrs. CHISHOLM. Sister Vicente, your testimony is almost overwhelming in terms of the warmth and the deep feelings and convictions you have over the fact that basically this is a human problem. I wish that you were in the position of being able to make appearances before the bureaucrats, the curricula planners and all of those persons who deal with these issues.

I am so glad that you appeared before this committee this morning because the thread that kept running through your remarks was the fact that indeed we have tried to assimilate everybody into the so-called melting pot when in reality we are nothing but a wonderful salad bowl, a mix, a coming-together of all kinds making their contribution to the so-called melting pot.

I was wondering if you really felt basically that we cannot in any way leave the bilingual programs up to the decisions of State or city governments, because those programs might receive very low priorities since many of those groups who are concerned about bilingual education have little political power. For example, we are talking about revenue sharing right now.

If you just talk about revenue sharing generally and do not speak about stipulated grants, the people that need the help would get lost completely. I was wondering if you felt now that any kind of legislation pertaining to bilingual education that comes before city councils or State legislatures or Federal Government—we can no longer put in the legislative "may." We must have a mandate.

Sister VICENTE. I feel strongly so.

Mrs. CHISHOLM. Is that what you recommend?

Sister VICENTE. Strongly so. A number of States have discretionary bilingual laws, but they just touch on the problem. We are just asking a favor. When it is compensatory it puts these children in the position of their being problems instead of assets.

By all means we know there are priorities of all kinds and that bilingual education is never going to be the total priority everywhere it is needed. We do not expect them to respond when we just ask them for a favor. It is not ordinary going to happen. Even in Massachusetts I spend my time trying to educate the educated, running around to committee meetings and budget hearings and when all else fails, then we take out the statute and say, "We have the power to withhold all your State funds. Are you going to do it or not, or do you want to go to jail?"

There has to be a point of accounting. And that helps very much.

Mrs. Chisholm. Secondly, do you really feel that—before we would really talk about meaningful—and that is the key word, meaningful—bilingual programs—that it would be most important that those persons who have the responsibility of charting these programs, drawing up these programs have to be more aware of the human element in these programs? Don't you feel that it is essential that persons such as yourself and others who have had actual experience in the field should be the advisors to all those different committees so that the legislation which is drawn up for the policy which is established will encompass the human element?

Sister Vicente. I feel sensitizing legislators was the thing that won us the Massachusetts law.

Mrs. Chisholm. Thank you very much. Mr. Meeds.

Mr. Meeds. Thank you, Madam Chairman.

Sister Vicente, one of the rewards of this job is to have the opportunity to see fine people like you in action. Every once in a while we get a person who seems to say it all in a very succinct and unemotional way. I just thought as I listened to you how I wish that I could have put you inside my suit and sat you on the floor of the House about 3 weeks ago to have replied to one of my colleagues who was questioning the validity of any bilingual education since he had come from the old country and he was proud to say he was an American. He could not understand why other people wanted to retain some of their own native background.

As I listened to you, I wished you were there to reply to him. I was incapable of doing it as you would have.

I am going to take your spoken statement and insert it in the record as a reply to that statement. Also the written statement will be made part of the record.

I was not being facetious when I mentioned $1 billion. Perhaps I was being unrealistic in terms of getting that much, but in terms of the enormity of the problem, not at all. San Francisco educators were here indicating they are spending approximately $300 per student for bilingual programs in the city of San Francisco. We are spending at the Federal level about $350 per student on bilingual programs.

If you take that and multiply it times the 5 million, as you point out and as other experts indicate—5 million students that are in need of bilingual education—you get some idea of the normity of the cost of this program, about $1.5 billion per year. So I don't think $250 million is at all unrealistic because I would say, particularly as we pointed out through the witness before you, initially at least that much is required. I assume you are a strong supporter of the Senate bill.

Sister Vicente. Very much so, yes.

Mr. Meeds. I assume also you are very much in favor of the teacher education aspects of it.

Sister Vicente. So important. May I add one thing about this billion dollars? At present, federally, we spend $1 billion force feeding foreign language students on a secondary and college level to give them the academic status they need to go to the college of their choice, and they cannot order a cup of coffee when they go abroad. It is misspent, and yet we are sandpapering the ability to speak their native language out of linguistic minorities.

When I went to school, I was not allowed to take Spanish because I already spoke it. I learned to read and write it fluently only in graduate school. It is such a misplaced concept. In Massachusetts we are introducing a new law for language maintenance, that when children come out of their bilingual education program which is, I am sad to say, for only 3 years, they will be able to maintain their language at the level of their proficiency. Then we will have a real cadre of truly bilingual people that we need in our diverse society.

Every doctor and nurse and lawyer in Boston is asking me for conversational Spanish so he or she can make it economically with patients or clients because they are being pressured by the need. Yet Portuguese children in New Bedford are learning French as their second language when they can hardly speak English instead of having their primary language reenforced. We should put our money where the true need is.

Mr. Meeds. I agree. Again I much appreciate your testimony.

Sister Vicente. Thank you very much.

Mr. Benitez. I would like to make one observation. First, I think that those of us who have been privileged to be here today are most grateful to you. This has been one of the best testimonies we have heard in my 1½ years. And I am saying this—the punch line comes in a minute. But the point I wish to emphasize is that we have seen this, a display of charm and of grace and this is what the sister and I when we used to study Greek identified under the word "charisma," which means the grace of God.

And my sense of drama and of propriety makes me say this—because when all of a sudden I saw these two charismatic ladies—my colleague, Shirley Chisholm, and my former compatriot in Puerto Rico get together, I must say to my other colleagues that if these two sisters join efforts, the walls of bureaucrats will crumble down.

Mrs. Chisholm. Thank you.

I would just like to say once again that we certainly do appreciate your efforts and one of the things that came home so clearly to me as you were speaking was the fact that I have many, many friends from different countries who are part of the United Nations and whenever I go to the United Nations and listen to these women from Asian countries, European and African countries, but also handle the English language so beautifully, and then I look around at the Americans who will be there, women and/or men, who are not able to converse or understand. I almost feel in a way by the attitudes of sofe of them that "You all should be speaking English"—I think we are going to have to learn something about this kind of patronizing attitude that many of us have with respect to other peoples who are fluent in both languages or two or three languages and realize that this is a world community.

Sister Vicente, I am not ashamed to say that one of my assets in the political arena today in America is my fluency in written and spoken Spanish, and this is one of the things I use constantly. I think many of us have to recognize that, whether we want to face the fact or not, the world community is narrowing and that we have thousands of persons of Spanish-speaking origin in this country and in some cities in this Nation and very soon in the near future this is going to be the dominant ethnic group in these cities, so I think it behooves us to get off our paternalistic attitudes and realize we are a salad bowl and not a melting pot.

Thank you.

[Whereupon, at 12:05 p.m. the subcommittee recessed, to reconvene at 9:30 a.m., Thursday, March 21, 1974.]

BILINGUAL EDUCATION ACT

THURSDAY, MARCH 21, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
Washington, D.C.

The subcommittee met at 10:05 a.m., pursuant to call, in room 2175, Rayburn House Office Building, Hon. Herman Badillo presiding.

Present: Representatives Badillo, Chisholm, Lehman, and Steiger.

Staff members present: Jack Jennings, subcommittee counsel; Eydie Gaskins, Special Assistant; Toni Painter, Assistant Clerk; Christopher T. Cross, minority legislative associate.

Mr. Badillo. I would like to call the subcommittee to order.

The chairman is in a conference on the minimum wage bill which, as you know, was passed yesterday by the House and therefore he has asked me to chair on his behalf.

Today's hearings are concerned with the general topic of bilingual education which is, of course, coming up in H.R. 69 on the floor of the House, hopefully in the next few days.

The first witness is Mr. Mario Anglada, executive director of Aspira of America, New York City.

Mr. Lehman. Mr. Chairman, could I just take a second to recognize four people doing a job on bilingual education. I would like to recognize Dr. Leonard Britton who is assistant superintendent of curriculum—I think that is close enough—and who is in charge of our Federal program; Mr. Robert Renick, board member; Phyllis Miller, with whom I served in Dade County; and vice chairman of our school board, Bill Turner.

They are here to learn and go back and have input that will enable us to really do the bilingual education in Dade County.

Mr. Badillo. Mr. Anglada. Can you tell us something about yourself.

STATEMENT OF MARIO A. ANGLADA, EXECUTIVE DIRECTOR, ASPIRA OF AMERICA, NEW YORK

Mr. Anglada. Aspira is an organization with offices in New York, Puerto Rico, Illinois, New Jersey, and Philadelphia. This is for the development of the Hispanic students, Spanish youth, through education. I think that the important accomplishments of Aspira in the last 15 years have been to place more than 5,000 Spanish students in colleges.

Aspira also develops a sense of identity in the Hispanic youth. Such methodology as used has proven that if student youth are dealt with in the bilingual fashion where special care is taken to help them in their language it is possible for young people to develop motivation and initiative.

That, in a few words, is the sense of Aspira.

The other day I was talking to a Dominican Republic student and he was mentioning his disappointment. He was telling me that in Santo Domingo he was studying trigonometry while in New York school he is being taught to add and subtract. Obviously a student who has developed a knowledge of trigonometry is going to feel very frustrated because he has to learn very simple mathematics because he does not know enough English.

I think that is an example of the difficulty of a number of other students of Puerto Rico, the Dominican Republic, and Cuba who are having great difficulties with the school system because they do not possess the ability to speak and write English.

There are some figures from the board of education that of the 270,000 Hispanic-speaking students in the city of New York, 110,000 have difficulty with the language. I don't know the figures for New York State but I suspect there are about 50,000 or 60,000 more also having difficulty in the same boat.

This kind of experience, this kind of frustration that the Hispanic student feels for not being able to deal and learn the subject matter, is related to the meaning of culture.

In our experience it is something just more than a system of ideas. Culture is a system of belief, it is a system of how to look at the world, how to make sense of reality. I think most important, culture is a system of elements.

When a person is transported from one culture to another there is a shock, and in the case of Puerto Rico the shock occurs in the move from New York to Puerto Rico. It means that language is a little bit more than just a technique of communication. Language is also a system of communicating feelings and it is important that the system of understanding be taken as a way of developing some kind of self-identity.

I think it has been proven again and again that people with no identity have a hard time learning. Thus, to me, I think a lot of people who know more about this than I do, the teaching of a language, the teaching of a sense of a world of another culture is very related to the teaching of your own culture and a sense of what you are. In this sense I cannot see how I can teach a second language or teach without a sense of understanding of what a student has and his sense of identity.

The Puerto Rican experience is the closest to me so I will use that one. If one looks at a new kind of Puerto Rican culture which is developing in your city who has been born in New York who has a kind of dream I imagine of Puerto Rico, this thought of Puerto Rico—I call him the new modern man because this is the kind of man that knows very little of a Puerto Rican. On the other hand, he is not accepted in the modern society and has a hard time identifying himself with black culture. So this is a person that is suspended between two groups and he is searching for an image of himself, and to develop an image of self you need some understanding of the culture.

Thus, this kind of man which we shall call the New Rica, more than anybody needs an understanding and education in his own culture and his own language.

In Aspira we have tried an experiment which I think points to *some solution or some ways of handling* the bicultural, bilingual issue. I know of a school in the Battery on 116th Street which has a dropout rate of Hispanics of 80 to 85 percent.

Mr. BADILLO. That is a high school?

Mr. ANGLADA. High school.

Two years ago we decided to do something about that and to try an experiment which we called Project C.R.E.O., Creating Resources for Educational Opportunities. In Spanish, "yo creo" means "I believe." We took a group of 50 dropout students from Franklin and developed a bilingual environment in a small house around 116th Street where they were subjected to an experience of not only bilingual curriculum but also of helping the parents understand the situation of the child and helping the parent deal with the educational system of the youth.

This was done with OEO funds which were cut after awhile and the experiment is there, nobody has paid too much attention to it. One of the things that we have in bilingual education is the kind of system with the experiments where ideas can be transmitted and kind of lead to other developments.

I would like to put in the record the C.R.E.O. experience.

Mr. BADILLO. Without objection, so ordered.

[The material referred to is retained in the subcommittee files.]

[Annual report, 1972–73, Aspira of America, Inc., follows:]

[From Aspira of America, Inc., Annual Report, 1972–73]

THE ASPIRA PROCESS

WHY IT IS NEEDED

Aspira was founded in 1961 by a small group of Puerto Rican professionals who saw the need to develop Puerto Rican community leadership. At the time, there were approximately 900,000 Puerto Ricans in the continental United States. Now there are 1.8 million, but the problems haven't changed. The majority of Puerto Ricans are poor, they haven't a great deal of education and they are young.

Half the Puerto Rican population is less than 20 years old, most of them of school age. They are the future, and Aspira believes it has the potential to change the future of the community through education and development of leadership in our youth.

The average Puerto Rican child does not speak English fluently; lives in the poorest neighborhoods, which, like his schools, are infested with drugs; is the child of immigrants; and is treated by his teachers with indifference or even an intolerance of his cultural and linguistic heritage. He is constantly subjected to a negative stereotype of his group until he begins to believe it himself. If he stays in school long enough to reach high school, he is unlikely to graduate because he has little self-confidence and low aspirations.

WHAT ASPIRA OFFERS

Aspira offers Puerto Rican students a network of services designed to foster aspiration, self-confidence, the desire for and the ability to achieve higher education, and a commitment to the Puerto Rican community.

In the Aspira program, the Puerto Rican student is not only given a chance to believe in the possibility of his success, he is given the training and support needed to work toward a realistic educational goal.

At the core of the Aspira process are the counseling and leadership development programs.

EDUCATIONAL COUNSELING

This year a total of 7,000 high school freshmen, sophomores, juniors and seniors took part in Aspira's in-depth counseling program at Aspira Centers in New York, New Jersey, Philadelphia, Illinois and Puerto Rico. The educational counselor's job is to develop educational and career goals for each high school student through a one-to-one personal relationship. The counselor, who is a product of the same environment, but has surmounted it and gone on to college and a professional career, is a sympathetic listener as well as an important role model.

In addition, the counseling program provides discussions, workshops, lectures, career guidance, guidance in choosing appropriate high school courses which would aim towards higher education and tutoring. The counselor serves as advocate for the students in high schools and in colleges. Every student is given scholarship and loan counseling so that no Aspirante who wants to go on to college drops out because he can't efford it.

One of the high points of the program in each city is an annual college interview meeting in which as many as 100 colleges and 1,000 students take part. Once in college, the student is helped to adjust, to secure academic services, and is given tutoring if necessary.

The basic objective of the counseling program is to encourage the student to develop career goals, to realize that education is the principal means of achieving these goals, and to help him get that education.

LEADERSHIP DEVELOPMENT

The Aspira Club program is designed to encourage a sense of identity and to develop the leadership qualities of the Puerto Rican high school student. The clubs are usually based in high schools which have a large percentage of Puerto Rican students. There are also home clubs based in the Aspira Center for students who attend schools without Aspira clubs. Each affiliate is responsible for a specific number of clubs.

Club goals and activities are determined by the students. They deal primarily with educational and community issues of the day. By designing and carrying out their programs, students test and put into practice the new skills they are acquiring.

By taking the floor in elections and discussions, they learn to articulate their ideas, to overcome their shyness, and to use democratic processes to bring about change.

Each club elects representatives to a city-wide Aspira Clubs Federation and through this they learn the power of united action and organization. They design strategies, and carry them out. Active participation in the Clubs teaches students the techniques of democratic action, advocacy and the responsibility of an educated Puerto Rican leader.

Aspira provides guidance to each club through community organizers and their aides. They are trainers, teachers and motivators and their job is to organize the clubs so that the members develop group and leadership abilities.

Student representatives sit on the Board of Directors of each affiliate, providing students with a voice at every level of the agency.

The Aspira leadership development program has had an impact on the Puerto Rican community. Former Aspirantes are the leaders of a growing number of Puerto Rican college student groups which work to make colleges more responsive to the needs of the Puerto Rican student. They are returning from college to take positions of responsibility at all levels of government, in education and social work as well as other professions. And they are returning to Aspira to help another generation of Puerto Rican students attain its rightful place in American society.

ASPIRA OF AMERICA

While the Aspira program is administered by each affiliate, it is recognized that some special programs are national in scope and must be administered nationally to be most effective. To illustrate this are the following two programs which occupied a prominent place in Aspira of America's activities this year.

ASPIRA STUDENT HEALTH CAREER PROGRAM

The Aspira Student Health Career Program started in October, 1970, in New York, with a small grant from the Klingenstein Foundation. It was launched on a national level in March 1971, funded by a $75,000 grant from the National Urban Coalition under the Office of Economic Opportunity. The program was started at the same time in New Jersey, Illinois, Pennsylvania and Puerto Rico, and continued this year under a similar grant.

In the three years since Aspira launched this program there has been a nine-fold increase in the number of Puerto Ricans entering medical school and other post-graduate studies related to community health-care needs. Before the program started, there were a total of 60 Puerto Rican physicians in the continental United States and only five Puerto Ricans in medical school. The existence of other health careers and the fact that workers were needed in these fields were things few Puerto Rican students knew about.

According to many studies, the distribution of health care in the nation is notoriously uneven. Since most of the nation's doctors come from the white middle class, it was difficult to interest them in giving up lucrative practices to work in the ghettos. It became evident that the best way to deal with the urgency of the community's needs was to train more Puerto Ricans, who felt a sense of responsibility for their community, in health care professions.

There are 577 students now active in the program nationally. The services they receive include identifying, recruiting, counseling, college placement and financial aid, college retention counseling, tutorials, and health career training. Approximately 2,329 students have received such services since the program began.

A total of 43 continental Puerto Rican students have been placed in medical schools as a result of this program, 19 of them this year. Next year, 60 Puerto Rican students are expected to apply to medical school. Their academic averages range from 2.5 to 4.0. The grade point average this year is 3.5.

To achieve its goals of encouraging Puerto Ricans to enter all phases of the nation's health care systems, Aspira has made use of all of its resources and 12 years experience in working with junior high, high school, college and post-graduate students.

Its primary focus for this program has been on the college age group interested in pursuing careers in medicine. However, in Newark, Philadelphia and Puerto Rico, where there are fewer Aspirantes in college, the health specialist counselors are working mainly with high school students, encouraging them to consider and prepare for medical and other health training in college.

The program's other aims have been: to provide a counseling system to yield specific career and academic guidance while meeting the student's individual financial needs, and remedying educational deficiencies;

To expand and create liaisons with public schools, colleges, universities, medical schools, hospitals and other health care institutions and agencies and to provide a variety of first-hand experiences for young people in the health field, as well as to make the institutions aware of the potential contribution of the Puerto Rican community;

To provide summer internship opportunities for pre-med students;

To provide tutoring programs for pre-med students.

Counseling

By the time the Puerto Rican student comes for his first counseling session with the Health Careers Counselor, he has usually experienced so much negative educational advice, he needs a great deal of reassurance.

The counselors try not to discourage the student who seems sincerely interested in a medical career. If his academic background and grade average are far below the range of medical school admissions standards, the counselor may suggest alternative health fields with less rigid requirements. Counselors find that a strongly motivated student with borderline marks can usually overcome his deficiencies if he takes a year of review courses in subjects in which he is weak, and they sometimes recommend that course of action.

Often there are extenuating circumstances contributing to poor grades, and they are not a reflection of lack of ability. Many students work full-time while trying to maintain a full college course load. Poor high school preparation for high academic work fosters bad study habits, frustration and discouragement. The students who come from overcrowded homes may not even have a place in which to study. Others may not decide on a medical career until their last years of college and may have to squeeze in required science and math courses to qualify.

Counselors try to reach students early enough, addressing incoming pre-med students, so they can map out appropriate curriculums and concentrate on the subjects on which they will be most closely judged.

The counselor also tries to advise the student of what he will be facing financially, personally, socially and culturally as well as academically at each school. He informs the students about applications, interviews, examinations, scholarships and financial aid and helps him to find part-time jobs in a related field.

For every student who applies to a professional health school, the counselor writes a letter of recommendation and, where necessary, asks that extenuating circumstances be considered.

Although most want to be medical doctors, students are interested in a wide variety of health professions including nursing, dentistry, pharmacy, occupational and physical therapy, public health, and scientific research.

Tutorials

Since the public schools have not adequately prepared Puerto Rican students for entrance into the health professions, academic reinforcement is one of the greatest needs. Even those who are already in nursing or pre-med programs usually need help in mathematics, physics, biology and chemistry.

Aspira of New York's tutorial program for medical students is in its second year of operation. To date, none of the students who have gone through the program has dropped out of medical school. There is no doubt that this tutorial program played a significant role in the students' success in their first year of medical school. The program will serve as a model for the other affiliates to emulate.

In Illinois and Puerto Rico, such tutoring has been available in on-going Aspira School programs and summer programs for high school students. In New Jersey and Pennsylvania, staff and student volunteers are tutoring students.

Summer programs

A summer internship program in conjunction with the New York Medical College which would have provided academic, motivational and field experiences for 25 New York students contemplating medicine as a career was planned and ready to go for the summer of 1973. At the last minute, however, Bureau of Health Manpower Education of H.E.W., which had encouraged the proposal for the Aspira Cooperative Summer Intern Program, turned down the application for the $40,000 grant, and the program was lost.

Judging from the highly motivated students, professors and counselors involved, it can only be conjectured that the program the first of its kind for Aspira, would have been a great success.

In Chicago, Aspira of Illinois offered Latin high school students a summer work-study program for 1973 with a strong health component. It included daily two-hour seminars on health topics such as nutrition and communicable disease. Guest lecturers participated. Twelve hours of field work in health-related areas were also planned. In addition, seminars on art, history, language and Latin American affairs were scheduled.

The University of Illinois at Circle Campus cooperated with Aspira and the program was jointly sponsored by Aspira and Model Cities (Chicago Community Urban Opportunities).

Forty-three college students, preparing for health careers, enrolled for the summer of 1973 in summer internship programs offered by seven medical schools. They included Harvard, New York Medical College, Indiana, Stony Brook College of the State University of New York, New Jersey College of Medicine, Cornell, Hahnemann Medical and Boston University.

New directions

Centralization

To increase the efficiency and effectiveness of the Aspira Health Counselors who operate out of five different affiliates, plans are being made to centralize recruitment efforts in the national office, creating a clearing house for medical, health profession and student recruitment information.

A junior high school outreach program

Since the Puerto Rican drop-out rate between junior and senior high schools is the highest of any ethnic group in each community, it is important to reach these youngsters early enough and expose them to the number of opportunities available in health and medicine. A junior high school outreach program in health careers is now being planned. This step is vitally important, since the pool of qualified Puerto Rican medical school candidates is in extremely short supply. Those who do qualify are quickly being absorbed. This program will help supplement the manpower needs.

Increased tutorial programs

The majority of Puerto Rican students who graduate high school receive general and vocations diplomas. They have been inadequately prepared academically and often cannot meet entrance requirements for careers in health. And those who do enter nursing and medical schools need help to stay there. Tutorial programs for all educational levels of the health careers caseload are vitally needed.

Increased summer internship programs

Summer programs where students have the opportunity to learn through application, rather than just theory, without the pressure of examinations, where they have tutorials in science, and which would expose them to professionals in the field, would help Puerto Rican students overcome disadvantages in competing for medical school places. Students provided with a realistic view of health services through such programs become acutely aware of community needs and the implications involved in these professions.

Puerto Rican medical advisory board

An Advisory Board, composed of Puerto Rican doctors and other health professionals has been established to serve as advocates of the program; to assist Aspira in planning new directions and a comprehensive health plan; to interpret the implications of new legislation; to assist in the placement of Puerto Rican students in medical schools; and to serve as role models for the students to emulate.

The Board, headed by Dr. Gilbert Ortiz, Vice President for Affiliations, New York Medical College, Metropolitan Hospital, includes Dr. Francisco Suárez of New York; Carlos Cuevas of the Comprehensive Health Plan of New York; Joseph Cintrón, Senior Health Planner, Bronx Coordinator; Dr. Helen Rodríguez, Pediatrics Department, Lincoln Hospital Center; Dr. Francisco Trilla of Brooklyn; Dr. Reinaldo A. Ferrer, Chief, Ambulatory Service, Governeur Hospital Affiliation; Elsie Gil de Rubio, Director Community Affairs Department, New York Medical College, Flower and Fifth Avenue Hospitals; J. César Galarce, Executive Director, Lincoln Hospital; Felix Aquino, Associate Director, Lincoln Hospital

ASPIRA NATIONAL BILINGUAL EDUCATION THINK TANK

Aspira of America sponsored a three-day conference in March at the Urban Life Center in Columbia, Maryland. Here for the first time, Mexican-Americans, Cubans and Puerto Ricans explored together the possibility of developing bilingual education in this country, five years after the passage of the Bilingual Education Act in 1968.

The National Bilingual Education Think Tank was made possible by a grant from the United States Office of Education, Department of Health, Education and Welfare.

Participants, representing 27 different groups from nearly as many states, observers from 14 governmental departments and educational institutions, and the directors of the Aspira affiliates took part in the conference. Among them were educators, sociologists, lawyers, social workers and government officials.

The goal of the conference was to find ways to achieve equal educational opportunity and quality education for millions of non-English speaking children, without sacrificing the riches and strengths that our ethnic communities bring to our society.

The Bilingual Education Act helped significantly to identify some of the approaches which could promote educational programs that support progress towards achieving this goal. From its inception, however, bilingual education has been controversial among a number of educations and others in the community at large.

Much remains to be done before the concept of bilingual education becomes a reality for all who need and want it. The discussion returned again and again to the point that members of local Spanish-speaking communities must be informed of the educational benefits of such programs and ways in which they can apply pressure at every level—to school boards, city councils, state legislatures and Congress—for enabling legislation, directives and funds for bilingual programs. A need for a national clearinghouse for information on legislation, court suits and pilot programs was also expressed.

Among those presenting papers for discussion were Carlos García of the Puerto Rican Research and Resource Center in Washington, D.C.; Dr. José A. Cárdenas, Superintendent of the Edgewood Independent School District in San Antonio, Texas; Salomón Flores, Director of Programs for the Spanish-speaking at Chicago State University; and César A. Perales, Director of the Puerto Rican Legal Defense and Education Fund in New York.

Serving on the advisory committee were Henry Casso, Director of Bilingual-Bicultural Education, School of Education, University of Massachusetts; Rosa G. Inclán, Consultant on Bilingual Education for the Dade County (Florida) Public Schools; and Hernan LaFontaine, Executive Administrator, Office of Bilingual Education, New York City Board of Education.

The conference pointed up the vivid and distinct differences in background and goals among Puerto Ricans, Cubans and Mexican-Americans and the ways these differences reinforce the limited problem-solving strategy that has been employed so far. Nonetheless, the overall consensus was that there should be continuing contact between the groups. The need for bilingual education was recognized by all. Perhaps even more important, it was recognized for the first time that shared solutions to the shared problems were possible.

ASPIRA OF NEW YORK

Aspira of New York is the oldest, the largest, and administers the most complex program of all the affiliates. Its complexity, however, is one of its strengths. Like a weaving on a loom, the entire fabric is strengthened as each new strand is woven through. This year, further development of the individual components of the Aspira program reinforced the entire effort, although Aspira of New York, like the other affiliates, was affected by the budget cuts.

The result of that effort was that 1,102 students, the highest number ever, were placed in colleages across the country. Thirteen Aspirantes were placed in medical school, and 74 in other graduate programs. A total of $853,063 was found for them in financial aid.

The College Retention Program counseled a total of 1,354 college students regularly, and 3,545 high school students took part in the educational counseling program. Through the leadership development program, students and parents took an active part in Community school Board elections for the first time. The 36 Aspira Clubs in New York had a roster of 2,500 members.

Scholarship and loan program

A continual flow of Puerto Rican high school seniors sought assistance in continuing their education from the Scholarship and Loan Center in Manhattan. The 1,572 students were referred by the Aspira Borough Centers, the Board of Education, community programs, friends, or just walked in on their own. Aspira's services have become well known.

In addition to placing nearly all of the students, an individual financial aid package of scholarships, loans and work-study was worked out for each one. A series of seminars on how to choose and apply to college, and on college life was offered. Students now in college were invited to take part in peer counseling sessions in order to encourage the high school students to go on to college.

A total of 1,200 high school juniors from all over New York City participated in the Annual College Interview Meeting in June which was held at New York City Community College. Repesentatives of more than 100 institutions of higher learning attended and answered questions about requirements and opportunities at their schools.

Counselors had other ways of making institutions aware of Aspirantes. A continual program of recruitment, in which college representatives met with potential candidates for admission, was conducted by Aspira of New York during the year. On several occasions, students were admitted immediately.

One of the highlights of the year for seniors were the many trips to college campuses.

College retention center

College students sought counseling in several areas, particularly in financial aid, in order to stay in school, or to seek readmission if they had to drop out. Many find that because of financial pressures, they must interrupt their college career for a while.

The newly organized Student Advisory Board held a conference at which more than 60 college student organizations were represented. A coalition, which grew out of the conference, met weekly afterwards to discuss common issues and develop strategies.

More than 70 parents of college students, a record turnout, participated in a meeting on a hot, muggy Sunday in June to hear about college life and the opportunities available to their children.

Graduate studies program

This division has grown to tremendous proportions and is the most pressure-ridden of the program. Placements this year increased significantly. Much advocacy in the fields of psychology, education, business and social work is still needed, however. The schools have been accepting our students without financial aid. Since most can't attend without financial aid, the probability of their attending in large numbers is nil. A great effort was made to find funds for them.

Special services

Special Services counselors worked with Puerto Rican students at five colleges in New York City, developing supportive services and offering seminars on such subjects as academic orientation, financial aid, study habits and proposal writing. All the counselors worked actively with campus student groups who were in need of direction and organization.

At the end of the year, all of these programs, including Scholarship and Loan and services to college and graduate students, were consolidated into the Aspira Educational Opportunity Center. It is hoped that greater coordination of efforts and efficiency will grow out of the merger.

Leadership development

Aspirantes this year provided service while they were receiving services. Students in the 36 Aspira Clubs in high schools around the city assumed the roles of participants and advocates in the Puerto Rican community.

As a group, they took part in protests at City University, demanding that free tuition be retained.

The clubs also planned, organized and carried out cultural activities that were aimed at educating parents as to what their children are doing in Aspira and how they could help in their children's education. The children, through songs, dances and poetry were preparing the ground for a parent association connected with the centers.

The clubs, in addition, participated in store front programs dealing with housing and health problems and tutoring younger students.

One of the major efforts, however, was working in the Community School Board elections. The Aspira Borough Council committees organized 18-year-olds to register parent voters after taking part in a city-wide training convention on the elections. The participation in the compaign continued through election day and many Aspirantes learned how to conduct an election campaign. Three Puerto Rican candidates were elected in one district.

Educational counseling

For the second year, freshmen and sophomore educational counseling seminars were conducted throughout the year as part of the thrust to reach high school students early enough to effect the direction of their schooling. Counseling for juniors gave them special preparation for the annual college interview meeting. Intensive individual counseling, which was started last year, was continued and improved this year.

Tutoring programs were held in two of the Borough Centers for Aspirantes who needed help in math, reading and comprehension Career fairs, public speaking courses, sex education classes and drug orientation sessions added up to a busy year for the centers.

Creating resources for educational opportunity (CREO)

After an unbelievably successful two years, the CREO program, which ran Aspira's alternative school—a bilingual high school—lost its federal funding and had to close its doors in June.

Its aim was to develop a successful model of bilingual education for Puerto Rican high school students to demonstrate that it was possible to reduce the 70% high school drop-out rate. Its pilot group were 75 high school juniors from a nearby high school in East Harlem. They were chosen because they showed characteristics of becoming school drop-outs—low marks and poor attendance. After two years in the Aspira-run CREO school on an intensive 9 a.m.-5 p.m. schedule, 65 were admitted to college.

They had studied a curriculum which included English, Spanish, math, science, history, art, music and physical education taught by bilingual Puerto Rican teachers. In addition, they were given a supportive program of intensive personal and academic counseling.

CREO proved that a stimulating educational institution could take potential drop-outs and help them to grow socially and intellectually and to develop motivation and skills which would enable them to go on to higher learning.

Much of the knowledge gained through the CREO experience will be incorporated into new programs to be established at Aspira's Educational Opportunity Center where half of the CREO faculty are part of the staff. A number of leaders in bilingual education were developed in CREO and at the end of the program they were much sought after by other educational institutions in the city.

Parent and student guidance project

One of the problems Aspira has faced over the years is the timidity Puerto Rican parents—many of them uneducated—feel about protesting the lack of concern the school system has exhibited toward their children. Another problem is the gap in understanding and aspiration between Island-born parents and New York-born children.

In an attempt to deal with these problems, the Parent and Student Guidance Project was started in 1969. This year, 434 parents and 649 students took part in the project in two Manhattan school districts with large Puerto Rican populations.

Workshops were conducted in the junior high schools by Aspira in Spanish for parents and in both Spanish and English for students. Almost all of the parents were born in Puerto Rico and had less than an eighth grade education. The staff for the program included Puerto Rican Family Assistants paid by the Board of Education.

Demonstrating that the parents and students learned their lessons quickly and well were the following results of the program:

A parent was named to the Board of Education Advisory Committee; two parents were chosen for a multi-school district advisory board; three are on the executive board of the Parents Association in one school and six more were candidates for election; another was elected vice president of a PTA even though he cannot speak or read English; four parents attended Public Education Association training sessions and were deputized to register voters for the Community School Board elections; ninth grade students were recruited for the Aspira Clubs program.

To sensitize the teachers, in-service training was conducted for new teachers in both districts.

Despite the success of the program, the foundation grant supporting it was withdrawn at the end of the year. New sources of funds are being sought.

Staff development

Aspira of New York is cooperating with Queens College of the City University of New York in a two-year program which will allow staff members to earn a Master's degree in guidance.

ASPIRA OF ILLINOIS

Aspira of Illinois, in its fourth year of educational leadership, has become one of the strongest of the Aspira affiliates. Among its tangible achievements this year were placing 337 students in college and six in medical school, counseling more than a thousand students, helping over 600 to develop leadership skills in Aspira Clubs, running a highly successful Bilingual Alternative School and a precedent-setting summer program.

Yet its impact may have been greatest where its achievements are intangible—fostering positive self-concepts, community awareness, personal growth, and winning the respect of both the Spanish-American community and the larger educational and business community in Chicago.

During the past four years, Aspira of Illinois has striven hard to live up to its goal of being a strong advocate of equal educational opportunity for Puerto Rican youth. The need has not diminished. The educational deprivation, of which the Spanish-speaking community is a victim, runs hand in hand with the continuing urban decay. Approximately 50% of the students served come from families on public assistance. The other half come from families whose income is less than $7,000. The unemployment rate among the Spanish-speaking population is twice the local rate.

Many Puerto Ricans in Chicago never reach high school. Of those who do, 72% fail to graduate. The drop-out rate is not limited to high school. Many students do not finish the intermediate grades. It is apparent that Aspira must intervene at that level as well.

Because much of the drop-out rate is due to the archaic, inflexible and regimented nature of urban schools, Aspira of Illinois has applied strong pressures toward making the school system more relevant to the Puerto Rican community. This role of educational advocate has involved the agency's staff and Board of Directors in negotiations with the school system ts well as in a variety of public and private policy-making groups.

Educational counseling

In Chicago this year, a total of 1,054 students participated in the counseling program and 337 were placed in college. For the first time since the Health Careers Program started, Aspira of Illinois was able to place students in medical school and this year there were six.

Special counseling workshops were held in individual high schools, as well as at the Aspira Center, at the request of several guidance counselors and through the good offices of the Aspira Clubs in those schools.

The counseling program started with strength, a result of the success of the Aspira Summer Program which incorporated weekly two-hour educational counseling sessions for 200 students. The workshops helped students to become aware of the importance of early counseling, and of college entrance and financial aid procedures.

Reinforcing the counseling sessions were field trips and lectures during the summer and the school year at a variety of universities and colleges throughout the midwest. Five students participated in a four-day tour conducted by the Chicago Committee of Urban Opportunity (CCUO) of five universities in Indiana and Ohio.

The result was that many students coming in for counseling in September had a specific goal in mind and knew what kind of advice they needed. They were, moreover, less hesitant to apply to the more prestigious four-year colleges, rather than limiting themselves to the two-year community colleges or smaller institutions which a great percentage of the Spanish-speaking students attend.

Aspira's increasing reputation as an advocate for Spanish-speaking students has attracted other non-Puerto Rican students, including a large group of Mexican heritage to the program.

On the college level, a stronger liaison has developed with such schools as Chicago State University, Mundelein, Mayfair, Central YMCA, Loop College, Northeastern, University of Illinois Circle Campus and DePaul University. Much information for servicing students has been compiled in addition to strengthening individual contacts.

When Aspira first started in Chicago four years ago, an initial Aspira study identified only 29 Puerto Ricans from Chicago attending college in the metropolitan area. In four years Aspira has counseled thousands of students and placed nearly a thousand "high-risk" Puerto Rican students in college.

Leadership development

There are fifteen Aspira Clubs, mainly in high schools, in Chicago this year with an active membership of 600. Cadres of leaders from the various clubs attended the Aspira-YMCA Summer School Program during the summer of 1972. The 200 students received in-depth leadership training and skills development in seminars for six weeks.

In September these students spearheaded the drive to reactivate the school clubs, recruiting new members, remotivating all members and focusing on relevant issues and meaningful activities. Cultural shows, fund raising for scholarships or educational trips, collecting clothing for Nicaraguan earthquake victims, and tutoring were among their activities. Clubs at two schools initiated a unique anti-vandalism program. The campaign by Aspirantes at another school for a Latin-American studies program culminated in the hiring of a permanent bilingual/bicultural teacher.

Aspirantes who were deeply involved in school and community issues appeared before the U.S. Civil Rights Commission's Public Hearing for the Mid-West Spanish-speaking in October.

Each club elected representatives to the city-wide Aspira Club Federation where the Aspirantes learned, through participation in the democratic process, how to mobilize support for common concerns.

Special programs

Aspira bilingual school

The Aspira Bilingual Alternative School continues to be a source of fulfillment and growth for many of the community's most frustrated individuals—the high school drop-outs. The small and innovative Bilingual High School, which was started in 1971, served 45 school drop-outs this year. Originally limited to basic math and oral English language skills and preparation for the General Equivalency Examination, the program was expanded in the fall of 1972. The participation of the Chicago City Colleges was added to that of the Chicago Committee of Urban Opportunity-Model Cities program. A full course of instruction in Spanish and English as first or second languages, general math, general science, history and Latin American studies was offered. A work components in the fields of health and business emphasized the practical value of this knowledge.

Forty of these students, who had been "written off" by the school system, passed the high school equivalency examinations. Thirty-six were placed in college or other post secondary institutions.

During the summer of 1972, the Aspira School conducted an eight-week summer program at Amundsen-Mayfair Community College. Mayfair offered courses in typing and English as a second language and the Aspira staff provided courses in Latin Americans in Chicago, Science and Human Survival, public speaking, developmental math, educational counseling and leadership training.

Project 55

A natural offshoot of the summer leadership development program was the desire by participating students to use their knowledge and experience by working in and though the clubs. Since many students need to earn money while studying, Aspira designed a program to give-part-time jobs to 55 students. Those selected were high intellectual and leadership potential, but were high drop-out risks at school.

Funded through C.C.U.O.-Neighborhood Youth Corps, the students worked in four areas—tutoring, educational counseling of their peers, community referral and media. The students received training and orientation from volunteer resources people recruited from diverse agencies, followed by field placement at agencies or institutions requesting services, and continued in-service training.

An outgrowth of the media component was a videotape documentary on the Puerto Rican community of Chicago which was to be shown at the Ninth International Conference on Ethnography in Chicago in the summer of 1973.

A new work study program

A pilot project was started this year in collaboration with Quaker Oats. The dual goal was to provide Puerto Rican students with exposure to the world of business as well as financial aid and work experience. Aspira recruited students committed to working part-time with Quaker Oats. The company in turn agreed to provide all financial aid for the students to acquire an education at whatever level he may reach.

College research program

The College Student Advocate, a college student working full time for Aspira, is conducting a needs assessment study in Chicago colleges and universities as the basis for a proposal to establish a College Retention Program. This would provide a formal program of counseling, tutoring and other support to Puerto Ricans in College.

Parent involvement

Involving parents in the program is one of the most difficult things to accomplish, yet one of the most essential to the success of a counseling service and club network. A move toward organizing such a program was initiated in January when a group of parents of Aspirantes involved in Project 55 gathered with staff to discuss the program. At a later meeting with Maria Cerda, chairman of Aspira of Illinois Board of Directors and a representative of the Board of Education, the parents expressed the need they felt for more information on city-wide educational issues.

Community support

The generous help from our friends in the private corporate sector, which reflects their sense of social responsibility, has enabled us to achieve much over the past four years. Of paramount importance has been the assistance received from Aspira of Illinois' distinguished Board of Governors. In appreciation of this support, Donald M. Graham, Chairman of the Board, was honored at Aspira's annual dinner, June 25.

Among the many distinguished guests who attended were the Hon. Dan Walker, Governor of Illinois; the Hon. Francisco De Jesús, Attorney General of Puerto Rico, representing the Hon. Rafael Hernández Colón, Governor of Puerto Rico, who spoke at the dinner; and other members of the Board of Governors, loyal friends and supporters.

ASPIRA OF NEW JERSEY

New Jersey, with 224,125 Puerto Ricans, has one of the highest concentrations of Puerto Ricans in the country. This year, despite lack of funds, staff changes, and the difficulties involved in coordinating a network of clubs and centers spread over three counties, Aspira of New Jersey was able to progress in important directions.

Students reached for responsibility and leadership roles. The number of students placed in college was doubled, and Aspira enjoyed a growing cooperative relationship with the Newark Board of Education and with college admissions officers.

The need everywhere is great. Passaic County has a Puerto Rican population of 35,000, 14 percent of the total population of the country. For most, English is a second language. But not even the biggest city in the county—Paterson—which has a Puerto Rican school population of 5,240, has a program of bilingual education.

To help meet this need, Aspira's Paterson's Center, funded by a Federal Talent Search grant, swung into full operation in December. Seventy-two Aspirantes from Paterson were helped to gain acceptance to college this year. Evaluations of the center, conducted by the Department of Health, Education and Welfare, were so encouraging, the grant was extended for another year.

Hudson County, however, with a Spanish-speaking population of 54% did not fare as well. Model Cities has not been able to renew its grant which enabled Aspira to open and operate an Aspira Center in Hoboken to service both Hoboken and Jersey City. The first city in the continental United States in which the majority of the population was Puerto Rican, Hoboken is greatly in need of Aspira's services. However, it has only been serviced by one counselor and an aide. Their dedication and that of a Hoboken teacher has kept activities going and students involved.

Newark has a Puerto Rican population of 42,715. Over 9,000 are of school age.

The Aspira Essex County Center in Newark has become an important and influential factor in matters relating to the education of Puerto Rican youth. Aspirantes have been participating actively in Board of Education meetings as well as in proposing curriculum changes. An Aspirante, for instance, proposed that classes in the history of Puerto Rico and English as a second language be given in high schools which have a high concentration of Puerto Rican students. The proposal was accepted by the Board of Education and put into effect during the '72–'73 school year.

Educational counseling

Aspira received permission, as well, from the Newark Board of Education for Aspira counselors to counsel Puerto Rican students within the guidance offices in several high schools. The arrangements made Aspira counselors more accessible to the students and provided the counselor within the opportunity to observe the Aspirantes' academic progress through meetings with teachers and school guidance counselors. The reaction from the schools was positive and encouraging and plans are being made to expand program into other schools.

Efforts to encourage Puerto Rican students to finish high school and seek higher education continue to pay off. This year 262 students applied to colleges throughout the state. Over 200 gained admission to one or more of the colleges they had applied to and most received financial assistance. Considering that the Puerto Rican high school drop-out rate has been as high as 84% in Newark alone, the figure is impressive.

Aspira's counseling services are being extended to high school drop-outs—young people who have dropped out of school because it was unresponsive to their needs, and then found themselves disappointed by a lack of success in finding jobs. Opportunities are being extended to them to acquire high school equivalency certificates and to enter college or training programs for specialized vocations.

In '73–'74, Aspira plans to expand both the outreach and counseling aspects of the entire program.

More than 800 students were counseled this year in both individual and group sessions. Workshops were held for 9th through 12th graders on such topics as Puerto Rican history and culture, and career and educational planning. A successful three-day workshop for seniors was held to prepare them for the differences between high school and college.

Aspira has also developed a working relationship with admission and financial aid officers of colleges throughout the state, an important factor in the increasing number of Puerto Rican students admitted to college.

Leadership development

The Aspira Clubs program has grown considerably during the past year. There are now twelve clubs in high schools in the tri-county area with a membership of over 320.

This year, the clubs dedicated themselves to expanding and strengthening their membership by organizing educational and social activities which would make them more visible in the community.

Two activities which were the highlight of the year were Aspira Week—a week-long program in the high schools comprised of a play and workshops on drug abuse and sex education, and an art exhibit held at the Newark Museum of Art. Paintings and other works of art by Puerto Rican students throughout the state were exhibited for two weeks.

The Aspira Clubs Federation held its annual three-day convention at Camp Lindwood in Sussex County in June. Representatives of clubs from Hudson, Passaic and Essex Counties attended. Concerned over the difficulties in making the Federation work because of the distances between counties and the lack of transportation, the convention representatives formulated and approved an alternative form of government—county councils. Two members of each county council, elected by their fellow Aspirantes, will be part of a state-wide council which will meet monthly with the Executive Director of Aspira of New Jersey to discuss the concerns of students throughout Passaic, Hudson and Essex Counties.

Parent involvement

Aspira counselors have begun to organize a Parents Federation that will parallel the Clubs program. Parents who are taking part in the planning have demonstrated great interest. It is expected the Parents Federation will be in full operation during '73–'74, organizing activities in the community as well as participating in workshops.

Community support

A year of expansion and accomplishments culminated in Aspira of New Jersey's third annual luncheon in Newark for community leaders and supporters. Over 300 guests attended the luncheon, representing the education and business community, and elected officials from the entire state of New Jersey.

ASPIRA OF PENNSYLVANIA

A lengthy school strike in Philadelphia combined with long delays in receiving federal funds committed for ongoing programs severely hampered plans by Aspira of Pennsylvania, Inc., to get new and continuing programs underway in the fall.

Redoubled efforts when the strike ended and the funds started flowing, however, brought an optimistic surge of activity and eager participation by students and schools alike.

A Right to Read program was started in collaboration with the Community College of Philadelphia, funded by H.E.W. More students than could be accommodated signed up.

In response to the problems of large numbers of Puerto Rican students dropping out of school between junior high school and high school, a junior high school program was started. Despite the strike-caused chaos, it became clear in meetings with principals and counselors at the junior high schools that they had wanted an Aspira club in their school for some time, and they promised their complete cooperation.

The problems of Puerto Rican children in Philadelphia schools are many. There are 72,000 Puerto Ricans in Philadelphia out of a population of three million. Many who have come in recent waves of migration from the small towns and villages of Puerto Rico are unskilled, minimally uneducated and desperately poor. Forty percent of all Puerto Rican households in Philadelphia have incomes below $3,000. Few see higher education as a priority for their children or see the possibilities of securing it.

Although significant numbers of Puerto Rican students drop out after junior high school, an additional 20.2 percent of Spanish-speaking high school students drop out before finishing, compared to 12.1 percent for all ethnic groups in Philadelphia. Of the Puerto Rican students who do graduate, less than 3 percent enter college compared to a 50% national average.

Educational counseling

Students were frustrated and disillusioned with school and more than ever talked of dropping out because of the long strike, but counselors continued to contact them and provide services. A total of 744 students were counseled this year, and 150 placed in college. This figure—nearly double the number ever placed in one year—is greatly encouraging compared to the 80 students placed last year, and a grand total of 350 Puerto Rican students in undergraduate school and 15 in graduate school during the 1972-73 school year. Prior to Aspira's work in Pennsylvania, less than 19 Puerto Rican students were entering colleges and universities.

During the September semester, Aspira was able to negotiate with Penn State to allow Aspira to select the best Puerto Rican college candidates. Penn State accepted all of Aspira's candidates as well as three more.

Early in the year, Aspira participated in the State Department of Education evaluations, and was able to document that Puerto Ricans are not being afforded opportunities for higher education or entrance into programs leading to college.

The counseling staff led workshops at Penn State University on human relations, self-image and identity, with participation and cooperation from the Educational Opportunity Program counselor there. Although the students asked that we continue to give the workshops, lack of staff and funds made it impossible to continue them regularly.

When the Right to Read funds finally arrived early in 1973, massive recruitment of students who had been turned away earlier took place. Classes were held daily and students were started on an intensive reading skills program plus recreation. A small stipend for carfare was given each student.

Leadership development

Once the schools were at peace the leadership development program in the Aspira clubs at the high schools was able to proceed and efforts were made to accelerate the program in order to get as many activities as possible into what remained of the school year. Almost 100 new students were recruited for the junior high school program and activities such as workshops on careers, tutoring sessions, films and visits to recreational, cultural and sports events took place. A total of 750 members participated in the 14 Aspira Clubs.

During the summer of 1972, 250 Aspirantes participated in the Neighborhood Youth Corps Employment Program and seven students worked at the Aspira Center, planning workshops, ideas and programs for the coming year, as well as doing clerical and custodial assignments. They were also taken on visits to museums, Independence Hall and other cultural sites.

Community support

The First Pennsylvania Bank and the Greater Philadelphia Chamber of Commerce were co-sponsors of a successful Aspira luncheon in September. More than two dozen top corporate business leaders attended and listened with interest to reports on Aspira's work in Philadelphia.

ASPIRA OF PUERTO RICO

For Aspira of Puerto Rico, this was a year of building new successes on a foundation of past accomplishments. A new Upward Bound program for Veterans was instituted. An active federation of high school seniors—the Future University Aspirantes—was strengthened; and a new acceptance of Aspira by school authorities and the placing of 74 Aspirantes in college was achieved.

The average per capita income in Puerto Rico is $1,727, but for Aspira's constituency, it is 25% lower. They are the residents of slum areas, low income housing development and rural barrios. For those under 21 years old, the unemployment rate is 24% compared ith 11% for the rest of the island. Of every ten who start first grade, only three graduate from high school. The drop-out rate for secondary schools alone is 57%.

This isn't a group that is used to success, but the tutoring, counseling, and real achievement which Aspira inspires, creates a new confidence and motivation.

Educational counseling

The sense of accomplishment Aspira had felt in June of 1972 when the University of Puerto Rico agreed to accept 75 Aspirantes, turned into a sense of disaster in September, when the agreement came apart. No one seemed to take responsibility for it. That is when the Future University Aspirantes took action. They wrote to the Governor, visited Senators, held press conferences, visited the University campuses and met jointly with labor leaders and the President of the University of Puerto Rico.

During the long uncertain waiting period, 12 students gave up hope and dropped out. Of the remaining 63, 54 were finally accepted by the University and the rest were placed in other colleges. In all cases, Aspira counselors negotiated for financial aid, the waiving of fees, and work-study where possible.

Through the year, students were helped to prepare for the college board examinations and to apply for college, and received a great deal of help in individual and group counseling, seminars, debates, forums, excursions to college campuses and other activities. A series of seminars on study habits, plus films, and lectures on subjects requested by the students—including sex education, family conflicts, and poverty and education—proved stimulating and helpful.

Three Aspirantes had the opportunity to attend a seminar at Morehouse College in Atlanta, Georgia, which was sponsored by the Jack and Jill Foundation of America. The possibility of attending college on the continent is remote for most students, though, because of the expense.

Educational counselors and other staff members helped plan and organize a television program which was presented by station WKAQ on the Achievements Awards Night.

By the end of the year another 74 Aspirantes were helped to gain admission to college, and the University's attitude towards Aspirantes seemed more mellow than in the past. The School of Medicine, however, true to its traditions, did not admit even one Aspirante, including one who graduated magna cum laude from the University of Puerto Rico.

Tutoring program

Educational counselors worked closely with the tutorial program which started in September with a staff of 11 teachers and 70 students. The curriculum included math, Spanish and English. Throughout the year, Aspira sought ways to make the teaching more effective, using new instructional models and special training to get to the core of the student's learning abilities and seeking the best ways to individualize instruction.

Public elementary and secondary schools in Puerto Rico are notoriously less effective than private schools, and Puerto Rican parents will make many sacrifices to pay for a private education for their children. But for the parents in the lowest income group, from which Aspira seeks its members, this option is rarely open. Nor can they pay for private tutoring, which is another device widely used to help youngsters maintain academic averages.

The University of Puerto Rico, however, the only publicly-supported free college on the island, has had such high and inflexible standards, those educated in the public schools rarely were able to enter until Aspira started being their advocate. Still 64% of the University's enrollment comes from the privileged class which constitutes only 27% of the population. The tutoring program is aimed at changing this balance.

Leadership development

Unlike most of the affiliates, Aspira of Puerto Rico's leadership club organization is based primarily in the communities rather than the schools. The main reason for this has been the resistance that school authorities have previously exhibited towards Aspira as an organization.

The common denominator and the cohesive factor which Aspira of Puerto Rico uses with young people is their condition of poverty. But since the Puerto Rican youngster lacks class consciousness, the idea of poverty in the abstract does not move him as much as the very concrete educational problems which face a student from a poor family.

This year school authorities demonstrated an increasing acceptance of Aspira, which gave more encouragement and support to the Aspira Clubs in the schools. The characteristics of the students, their attitudes, motivation and their method of functioning make it clear that the schools are the primary place for the Aspira Club structure and leadership development in the future.

Twelve Aspira Clubs, with a membership of 750 high school age students, as well as two college student clubs were active this year. A group of 110 high school seniors formed the Future University Aspirantes to prepare for, and advocate for, admission to college.

In an attempt to encourage the greatest participation possible by Aspirantes in their meetings and to teach new approaches to discussions and problem solving, club organizers suggested seminars which were prepared and planned by the Aspirantes. The topics which were chosen by the club members included racism in Puerto Rico; sex and youth; values of Puerto Rican culture; addiction in Puerto Rico; and the women's liberation movement.

Strong membership and leadership characterized the clubs this year. To a great extent this was made possible by the outward movement of older Aspirantes, some to the Future University Aspirantes, and by others who gave up their leadership positions in order to give others a chance to develop.

The Aspira Clubs Federation was dynamic this year, at times meeting weekly. Members of the ACF Board of Directors initiated meetings with the chapter boards and executive committees of individual clubs to discuss their plans and activities. A weekly radio program on station WQBS was planned along with more traditional educational, social and leadership activities.

Special veterans program

One of the most successful new programs this year was an Upward Bound Program for Veterans. A federal Health, Education and Welfare grant allowed Aspira to recruit 120 unemployed Vietnam Veterans and to prepare them to go to college. The aim of the program was two-fold—to make use of the educational benefits available to them as veterans, and to provide careers for themselves. The University of Puerto Rico agreed to work with Aspira on the program.

Starting in January and April, the program ran in two sections. The veterans took an extensive three-month remedial course in Spanish, English, math and science which was offered by the University of Puerto Rico.

This was the first time this type of teaching had been done by the University and there was great enthusiasm for it. Dr. José González, a professor at the Graduate School of the UPR, advised Aspira on individualized instruction and self-learning techniques and suggested four teachers experienced in those areas.

Group dynamics and therapy workshops were offered by Aspira, under the direction of a psychologist, when it was discovered that the veterans had emotional conflicts, intensified by their war experiences, which required attention.

In addition to the classes and workshops, the veterans participated in a seminar called Puerto Rico 1973. Both the history of the island and the major problems of the day were studied, using the daily papers as a major text both to create reading habits and for information.

Aspira staff helped them to fill out applications to colleges and universities and met weekly with teachers of the program at the University.

The universal evaluation of this pilot program by representatives from the Veterans Administration, teachers, and Aspira staff, was that it was effective and of high quality and efficiency.

STATISTICAL SUMMARY OF SERVICES IN ALL AFFILIATES, JULY 1, 1972 JUNE 30, 1973

	12-Month Intake	Cumulative Caseload	Total Club Membership	Number of Clubs	College Placement
Aspira of New York	3,610	7,712	2,500	36	1,102
Aspira of New Jersey	395	822	310	12	233
Aspira of Pennsylvania	357	744	750	14	150
Aspira of Puerto Rico	153	750	750	12	74
Aspira of Illinois	597	1,054	502	16	337
Aspira Nationwide, total	5,112	11,082	4,812	90	1,896

Mr. Badillo. Thank you for your testimony.

Any questions?

Mrs. Chisholm.

Mrs. Chisholm. Thank you very much, Mr. Anglada. It is very good to see you here this morning. I would like to ask you a couple of questions to really get certain things on the record.

Why is it so necessary to have bilingual as well as bicultural programs working together in any system?

Mr. Anglada. Language teaching is a technique, is a way of communicating, but I think it is a superficial way of looking at language. Language is also an expression of culture. What we are saying is that non-English-speaking children should be taught both in English and in their language. Especially non-English-speaking children will have difficulty with the language of their fatherland so the teaching of Spanish or any other language is not only an expression of communication, it is an expression of your own being.

In order to be able to learn about your own being you have to understand the culture. In that sense I cannot see a child learning unless he has this inner strength and that can only be done through the development of his language and his culture.

Mrs. Chisholm. The reason I ask that question is because we had very dramatic testimony a few days ago by Sister Vicente from Massachusetts indicating what happened when many Puerto Rican children entered the public school system in this country. For example she indicated that the personnel in many of these schools don't even understand the reason or reasons why Puerto Ricans have two or three surnames, and immediately what happens in the principal's office they keep asking the Puerto Rican mother, "What is the name, what is the name?" And the mother keeps saying Rodriquez Gonzales and what have you and she just knocks off one of the names and makes the child in a sense illegitimate. In a sense there is no understanding in our public school system of this child.

Therefore I would like for you to tell this committee what role do you feel bilingual culture can play in terms of developing a meaningful and effective curriculum for children who are bilingual as well as a teacher development training course because the institutions in the United States of America are not geared in that directoin; they are just many academic courses and they are not geared for preparing the teachers in this country to go out and function in the communities where we have the different ethnic groups so as to be able to help these children and people become a part of the group.

How about teacher training and development?

Mr. ANGLADA. Let me mention a rather dramatic point of information. For example, in your city a high school counselor is supposed to deal with 200 students. Obviously no human being can successfully counsel 200 students. Apart from that, to see a counselor you have to have a certain aggressiveness. You have to have a certain sense of what a counselor is. You have to have a certain ability to speak the language of the counselor. So all of these preclude our Hispanic students from really getting counseling.

That was one of the reasons why Aspira was created, to really take over part of the responsibility of the school system. So in a sense we feel we have been doing some of the work of the school system, but really the experience would be impossible or very difficult in the system of education of New York City.

Why? Because we do not find Puerto Ricans who have their training as bilingual teachers, so we use teachers with BA degrees but who were not certified.

I don't see in your city a whole program in the city or in the State where there is a deliberate effort to help Hispanic students become bilingual teachers. I think that it is important that these efforts must be carried forth, and if the system because of its many difficulties is not doing it I think others could.

The second reason, why bilingual? Because we understand that the student today does not only want to sit there in order to be taught, he also wants to be active, he wants to do things while he is learning. You need to have a certain mold or certain way of pursuing the student.

Our institutions have more flexible ways of helping teachers understand the students if there is apparently bilingual teachers, or bilingual potential teachers, who learn the subject matters in bilingual ways.

So I say in universities it looks like Aspira is trying to expand the nature of the training. That is the aspect of curriculum. I think the best people to do that are the people who are bilingual, who know the culture.

Mrs. CHISHOLM. One last question. What do you think of the idea of American universities and colleges in their teacher training programs actually incorporating in their academic curriculum a program whereby teachers and bilingual children will have to spend at least a year or more in a teacher exchange system between the mainland and the particular country from which we have so many youngsters? I am not talking about the conventional type of conferences that you have where people get on a plane and go into a convention for 2 or 3 days or a weekend and come back and try to incorporate everything in a curriculum when they don't understand it.

How would you feel about a real schoolteacher exchange system in which teachers, particularly in a city like New York or Miami, Fla., or any place where you have a large number of Spanish-speaking children, should be required to participate in a teacher exchange program for at least a year so they will be able to get the culture and the language and the feeling to bring back to the mainland.

Mr. ANGLADA. That has been done. It has been done by the Board of Education in the Department of Education in Puerto Rico where teachers from here will spend the whole year in Puerto Rico, teachers from there will come here.

In the college where I teach we have some of these teachers and they show great understanding and great development of the capacity to know what Puerto Rica and Spanish is all about.

Mrs. CHISHOLM. Thank you very much.

No more questions.

Mr. BADILLO. Mr. Steiger.

Mr. STEIGER. No questions.

Mr. BADILLO. Mr. Lehman.

Mr. LEHMAN. No questions.

Mr. BADILLO. Thank you Mr. Anglada.

Mr. ANGLADA. Thank you.

Mr. BADILLO. The next witness is the executive administrator of the Office of Bilingual Education of New York City, Mr. Herman LaFontaine.

Mr. LaFontaine, welcome.

Mr. LaFontaine developed the first bilingual school in New York City so therefore he has a long background.

STATEMENT OF HERMAN LaFONTAINE, EXECUTIVE ADMINISTRATOR, OFFICE OF BILINGUAL EDUCATION, NEW YORK CITY BOARD OF EDUCATION

Mr. LAFONTAINE. Thank you very much, Congressman.

Members of the panel, I am particularly pleased to have this opportunity to speak before you because I did have a similar opportunity before the Senate Committee on Education and before the Senate committee on the original legislation.

I have seen some progress over the 5 years that the legislation has been in effect and yet I realize that it is only until this moment that we are getting a very dramatic increase in activity, and I suspect probably that it is directly related to the Supreme Court decision with the San Francisco school system.

It is unfortunate in my eyes that this stimulus has to come this way through legal action, but at the same time I think it is necessary. There is still tremendous resistance on the part of many educators and many people in the communities regarding the concept of bilingual education. It probably comes from an ignorance of what bilingual education really means.

As I came in a little while ago I heard Mr. Anglada explain some of the basic philosophy of bilingual education, and I might say I agree with him wholeheartedly.

I am talking from my experience both as a member of the Puerto Rican community and as an educator and as having had the privilege of being principal of the first bilingual school in the northeast region. This was back in 1968.

In spite of the efforts that I said have been made up to now, we still see that this is a drop in the bucket, really. In New York City we have some 260,000 Puerto Rican students in the public schools. Out of these some 95,000 are classified as having limited ability in English; that is to say, either moderate difficulty or severe difficulty with the English language. In addition to that there are approximately another 30,000 students of other Hispanic backgrounds—that is, Cuban, Dominican and so on—who are in the same category.

Interestingly enough, in recent years we are getting other groups who are not of Hispanic background but have the same problems; that is to say, Italians, Haitians, Chinese, and Greek.

So the question of bilingual education applies not only to the Puerto Ricans or to the Hispanic but to all groups who speak a language other than English.

I want to emphasize that point because sometimes people criticize us. As you know this is a Puerto Rican thing and we certainly don't feel that is the case.

The total number of students then in this category comes to approximately 150,000, and unfortunately we still must confess that when we look at the present status of the academic achievement of most of our students it is still lacking. In other words we still find tremendous reading retardation, tremendous retardation in mathematics, the dropout rate is incredible, particularly in the high schools, and of course we have this large number of students who do not speak the language and thereby are prevented to a certain extent from actually developing and taking advantage of the learning process in the schools and thereby become part of the rationale for establishment of bilingual education programs.

In one sense then you are saying if we are talking about providing equal educational opportunity at least if nothing else, the student should be able to comprehend what is going on in the classroom. If there is no comprehension and no communication, you can bet that there is no learning taking place. So if nothing else, at least they ought to be able to receive instruction in the language they understand.

In addition to that we have seen already evidence in the research that it does help in terms of the transfers of the learning when they are going to learn the English language. In other words, the student who has learned to read in Spanish has already psychologically been prepared to face this task again. He sees now that he can be successful in the skill of reading and he simply says: "Well, all right, then, I can do the same thing in English. I have done this before." Which is a far different story from having to face the facts of learning to read in a language that you cannot even speak or understand. Unfortunately this has been the case over the years.

In one sense we might say we have already had a 20 or 25 year experiment going on in New York City schools because those that say that the solution is a totally merging program in English should just look at the past 25 years and see that that is precisely what we have been doing.

In other words, the English only policy in our schools has meant that the students came in and had to drop whatever knowledge they had in language and communicate simply because it was not in English. So now they were faced with the task of learning the language and at the same time trying to learn other subject areas—mathematics, social studies and sciences—in a language they don't understand.

It would be equivalent, I imagine, to me giving my testimony in Spanish, and assuming that the members do not understand. So it really becomes a very frustrating situation and it definitely has to do both psychological and emotional harm to the student, and this kind of harm which is done at an early age is something which has everlasting and enduring effects because as the student goes on he begins to wonder about himself as to whether he really may be inferior and gradually he begins to not only become frustrated but just shut off from the educational system and eventually drops out.

So it is not a matter of saying that the student suddenly dropped out in high school, this was something that was taking place for years and years and years.

We are saying at least through bilingual education the person who is able to begin to grasp the basic concepts of the very subject areas and then as he develops mastery and proficiency in English he can begin to get some of the work in English as well. One thing that I would like to make clear is that in our opinion at no time should be simply view this as a way of providing the transition from the native language to English. That may be a factor but the total program is one in which even after the student learns English and learns it well he should be allowed to continue to learn and develop his skills in his native language.

In other words, we have spent in the past much effort and a great deal of money in all sorts of foreign language programs in the high schools and yet you see the paradox here where in spite of the fact that we urge students to learn a foreign language in the high schools, those that already have ability in a language other than English are told not to use it and not to develop those skills. I know that this happened to me personally. I spoke Spanish as a youngster and when I came to school I had to switch to English. I was obliged to go by the rules of the school, and then eventually when I got back to high school suddenly they were going to teach me a foreign language—Spanish.

So it seems very strange that all the years in between were kind of skipped waiting for that magic moment.

I think then that with that kind of background I just would like to comment a little bit upon the bill H.R. 69, specifically the title VII section. The amendments that were proposed I think are satisfactory in general respects. However, I noted that the level of both authorizations retained at $135 million which I think is inadequate to say the least.

In addition to that, from experience in the past 5 years I know that the authorization and the actual appropriations never quite come together so that we are talking about two things.

One, we should definitely increase the level of authorization. If I had to give a figure, I would say somewhere around $200 million if we are going to do all of the jobs that are described in the various pieces of legislation and also pay attention to the actual appropriations.

In other words, even in spite of the good efforts of this committee and the Senate committee and so on, we find that the actual moneys being expended for bilingual education in title VII are not anywhere near what we really mean. We saw in fact that during this past year, 1973, the money that was spent really serviced only 147,000 pupils, but we have that much in New York City alone.

So in essence we would be able to expend the whole allocation for the entire Nation in the New York City public schools. So we have to certainly increase the authorization and the actual appropriations.

I noted that it said that the bill would be extended for another 4 years and I don't know why. At least we could not continue the pattern of providing a 5 year period of assistance or even better than that just leaving it open ended. In other words, we certainly have seen that in many cases where a promising program is just beginning to produce results, suddenly they are faced with the possible loss of funds at a moment when they might be able to really solidify the program.

I was pleased to see that the amendments include a provision for the junior and community colleges as eligible institutions. In New York City we have Puerto Rican students that for the first time are beginning to get this chance at higher education through the route of community colleges. We already had the experience of the community college which has developed a bilingual program, and the experience there clearly indicates it is meeting a real need for bilingual studnts.

Certainly these kinds of institutions should be allowed to apply for funds for the development of their programs.

At the end of the final amendment in section 705 which is a rather simple and brief amendment confused me a little because it seemed to cover a number of points and yet not go into it in too much depth. It said that it should be money for research and demonstration projects, for the dissemination of materials and for teacher training.

Well, certainly I would say that this amendment should be fully developed to specify and outline what kinds of things we are talking about. We need a great deal more research. Up to now, even though the legislation provided for it, the fact was that most people were interested in establishing programs, direct instructional services so that the research certainly had a second or a third or fourth priority and somehow we just got around to it.

We do need to compile a great deal of data in terms of what it is that we are doing and what kinds of results we are getting. That still has not been done in a systematic and organized way. If we cannot get the money out of title VII or we cannot set aside specific amounts, I think then we ought to focus our attention on the NIE, the National Institute of Education, since that is the research arm. It seems to me that that organization should be receiving substantial amounts of money for research in bilingual education since research is their job and for once we might get some coordination between the various Federal branches.

Dissemination of information. There are a number of projects in existence already, and by and large I think they are good projects. I have one concern though. We still do not have one national project based in New York City for the purpose of disseminating developing curriculum materials. We certainly have the population, we have the need and we have tremendous resources, so there is no reason why New York City could not be the locale for a national scope project in this area.

The one that I suppose is really the most significant in my mind is the question about the teacher training which is included in that amendment, but as I said I think it was touched upon rather lightly. In spite of the fact that everyone knows that there is a teacher surplus throughout the Nation, it is ironic that teacher surplus is not a surplus when it comes to bilingual programs because here we are really still having a very real shortage of properly trained and educated bilingual teachers, so that we still need a grat deal of work in preparing teachers for bilingual education programs.

I know that the efforts up to now have been kind of haphazard and not really in an organized fashion. When we received the title VII grants—by we I mean as principal of the school back in 1968 or 1969—when we received the title VII grants I was concerned with this and we contacted a number of colleges and eventually we were able to establish a program at New York University. Now because of the immediate need what we did was to take the people who were already on the staff, these were already licensed, and put them through a graduate program leading to a master's degree in bilingual education. Now this is one approach but I think we have to go further than that and not only have programs at the graduate level but also at the undergraduate level.

One of the things we did also at that time was that we had to turn to Puerto Rico in order to recruit teachers. I was able to get 15 teachers at that time from Puerto Rico to come to teach in

Public School 25. I did it because I was desperate, I needed people and I need them very fast.

I don't think that is our ultimate solution. I think we are now developing our own talents in the city and our own manpower resources so that we should be able to train and select people from our own colleges in terms of bilingual teacher programs.

But to do that we have to have programs at the undergraduate level as well and we have to have them beginning with freshmen all the way through bachelors and then continue on. The students are there but we still do not have organized programs at the undergraduate level.

Now if title VII is really going to provide assistance in this area, then it means that we really have to set aside again a good sum of money specifically for teacher training. The attitude in the past seemed to be, if you have an instructional program, if you are funding an instructional program, then maybe we might consider a small component for teacher training.

So what happened was that everybody said, "Look, let's get the money that we can get and start our programs and then we will do what we can to train the teachers." But if we are serious about it then we ought to say we have to set-aside money and people can actually apply exclusively for a teacher training grant, especially now that we have seen the reduction of the effort and all the other customary sources of funds for training.

So if title VII is going to pick up the slack we have to get into $200 or $250 million to cover all of this.

Those are my comments on the amendment itself. I just wanted to add that there is a certain discrepancy, I feel, between the intentions of this committee and the Senate Committee and so on and the legislation which is enacted and the action taken by various administration officers. In other words, sometimes it seems to me that in spite of the fact that we all agree that we would like to do something and how we would like to do it, it turns out that even the Office of Education and OMB—I learned what OMB was and now I understand. And it seems that whenever something was about to be done OMB said you could not do it.

Now I don't know who is running the educational program then because if we are talking about fiscal matters, that is one thing. But if we are talking about educational matters, then we know we should make those decisions. So it seems to me that your committee and the Senate Committee and so on should certainly have some very clear intentions when you pass legislation.

Now what it fears is that it needs a great deal more monitoring to make sure that what is in this legislation actually takes place. In other words, by the time it filters down from you through all the administrative structures to us in the little public school someplace the whole concept may have been destroyed so that we wind up as usual, you know, begging for little pieces here and there but without being able to do the job effectively.

Then you turn around and criticize us because we cannot produce results in 1 year or 2 years or something like that.

You know, these educational innovations don't come about in results in 2 years, you have to give them time before you can say you are able to produce the kinds of results that we are interested in. So I am concerned with the mechanics of how we get from a legislation to the actual implementation.

As a matter of fact, not long ago I received a draft of a policy statement from the Office of Education which I would say was diametrically opposed to the legislation because they were talking about English as a second language as the main focus and we are certain we are not in agreement with that. So if the Office of Education is thinking along those lines, you know, I can imagine and those are the people who have spoken to implement matching funds.

So I urge that in addition to the legislation we certainly continue with some kind of a monitoring device to be able to check that what is being passed as law is actually being implemented.

I think that that probably terminates my remarks if you have any questions.

Mr. BADILLO. Thank you, Mr. LaFontaine.

The amendments that we have, I am hopeful to try to include in H.R. 69 when it comes up for debate next week and they are being included in the Senate bill which is now in markup.

You spoke of one amendment which has to do with authorizing the Commissioner to make grants for inservice training for teachers but there is one that I think you are particularly well qualified to speak on and I would like to hear your remarks on it. It has to do with the amendment that we will make to establish a Bureau of Bilingual Education to be headed by the Director with the rank of Deputy Commissioner of Education within the Office of Education.

It seems to me that that would be similar to what New York City has done by setting up the Office of Bilingual Education of which you are the Administrator. Would you tell us in what way having this office specially set up has helped in New York City and whether you think that we should carry this concept over to the Federal level?

Mr. LAFONTAINE. Yes, I think there is a very definite analogy there. In other words, one of the things we are striving for in the city was to make the concept of bilingual education an integral part of our educational philosophy in the city. Now I think all of us have enough experience to realize that unless all of the beautiful words and ideas and so on are backed up with some very concrete evidence of support these ideas are not implemented.

So one thing that we were able to achieve was the establishment of the Office of Bilingual Education in the city and doing this not only gave it greater visibility but actually provided a vehicle by which we are able to coordinate the efforts of the various districts in bilingual education.

As you know, under the decentralized system in New York City the central units do not mandate or direct any of the districts in terms of their educational decisions but we can recommend and advise and encourage and we do that in the office—offer assistance in both designing programs, implementing them and so on.

At this point at least we have an idea of what is happening in the city in terms of bilingual education and not only in terms of title VII but other sources—State sources, city sources and so on. As a matter of fact, a direct result of having the office was the fact that it enabled us to make a much stronger plea for funds from the city itself so that we now have from the city tax levied budget $6 million which are specifically earmarked for bilingual education in the public schools.

This means that every district has some money for programs. Some are more advanced than others but everybody is making some kind of a tax levy effort in bilingual education.

I think then the idea of setting up an office in the city is analogous to the idea of setting up a bureau in the Federal office which would have the clout and the authority to be able to both monitor and implement the plans that come out of the various pieces of legislation.

My concern it that whoever is involved in that bureau is closely attuned to the intent and the spirit of this legislation. I would certainly be extremely disappointed if it turned out that after all the efforts to get a bureau of bilingual education it turned out that most of the effort was in either transitional bilingual education or in ourselves but that is just a cautionary word.

Mr. **Badillo**. Thank you very much.

Mr. Steiger.

Mr. **Steiger**. Thank you, Mr. Chairman.

You mentioned there was a concern on your part about the failure to have a nationwide research project in New York City. Looking at the list from the National Institute of Education there is the language "In the linguistic area program with modern language association funded at a level of $175,000 a day." Are you familiar with this? Do you know what this particular project is all about?

Mr. **LaFontaine**. Yes, but that has nothing to do with title VII. In other words, I am talking about the title VII effort. There are a number of national projects funded through title VII specifically for the dissemination and acquisition of curriculum materials and that is what I am talking about. It is a separate effort.

Mr. **Steiger**. It does not fit your requirements?

Mr. **LaFontaine**. No, not at all. Not at all.

Mr. **Steiger**. I wonder, given your figures a number of bilingual students in the city of New York—and I assume all of its boroughs, as well as out of that number—what, if my memory is correct, something like 90,000 moderate to hard bilingual students plus another 30,000.

Mr. **LaFontaine**. Of other Hispanics and a total of about 150,000 including the other languages.

Mr. **Steiger**. How much is now spent in the city of New York? Can you give us that figure just in city funds for bilingual education?

Mr. **LaFontaine**. Approximately $6 million.

Mr. **Steiger**. How much does the State of New York provide for bilingual education?

Mr. **LaFontaine.** The State provides $1.5 million for the entire State, and out of that we are receiving approximately $950,000 in the city. That is money specifically earmarked for bilingual education.

Mr. **Steiger.** So your total is $7 million?

Mr. **LaFontaine.** Roughly.

Mr. **Steiger.** Approximately of State and local funds and out of Title VII, how much?

Mr. **LaFontaine.** About $4.5 million.

Mr. **Steiger.** About $4.5 million. So we are talking about $11.5 million in round figures is spent on bilingual education in the City of New York for 140,000 students.

Mr. **LaFontaine.** About 150,000.

Mr. **Steiger.** For 150,000 students. The figures that we have had during the hearings as I recall ranged from what, something like $60 to $300 as the average cost for bilingual education. Is that a reasonable approximation of what you are asking?

Mr. **LaFontaine.** I would say closer to $300 and up.

Mr. **Steiger.** Closer to $300.

Mr. **LaFontaine.** Yes.

Mr. **Steiger.** In the New York City School System?

Mr. **LaFontaine.** Yes, and higher. In other words, since most of these cases are initial efforts in a given school or a given district, it is kind of startup money that is required to get this effort going.

Mr. **Steiger.** You are no longer the principal of the first bilingual school.

Mr. **LaFontaine.** No.

Mr. **Steiger.** Is that school still in operation?

Mr. **LaFontaine.** Oh, yes, very much so.

Mr. **Steiger.** How many students are involved?

Mr. **LaFontaine.** Now there are about 800 pupils.

Mr. **Steiger.** And it is what, an exclusively bilingual school?

Mr. **LaFontaine.** Yes. By that I mean that all of the pupils in the school were involved in a bilingual program. By the way, this brings up the point in your mental calculations that even though I indicated that there are 150,000 pupils in these two categories of language this does not mean that they could be the only eligible population educationally speaking for the bilingual program. Theoretically the entire school population of the City of New York could be in the bilingual program and that would be fine with me because I certainly view bilingual education as a tremendous education program for anyone.

Even at a smaller scale we have almost in every program students who are English students who do not have any difficulty with English but who are in the bilingual program taking advantage of the fact that they can learn Spanish as a second language. So in other words before you make any further calculations as to costs, I think that the base of the pupil population has to be calculated carefully because it is not just the 150,000 students that I was talking about but includes also many English students who in our English language programs learn Spanish as a second language.

Mr. Badillo. Would the gentleman yield?

Mr. Steiger. Yes.

Mr. Badillo. You don't serve all the students now?

Mr. LaFontaine. No, that is another point.

Mr. Badillo. Only a very small percentage?

Mr. LaFontaine. Yes.

Mr. Badillo. Of those how many are Spanish speaking?

Mr. LaFontaine. 25,000.

Mr. Steiger. All right. This then would bring me to the point that I would like to try and get to if I could.

You have $11.5 million in the City of New York and an admitted eligible population of 150,000 that are critically in need of direct bilingual assistance. What percent of that 150,000 are enrolled in bilingual education and what results can be obtained from that student population, not the English dominant learning Spanish as a second language?

Mr. LaFontaine. I cannot figure the percentages that quickly but I can tell you in an absolute figure that roughly 23,000, 24,000 students out of the 150,000 that are involved in bilingual programs right now.

Out of these 23,000 students some of them are in schools such as the one I described where you had the total population in a bilingual program. Others are in programs where they have one or two classes in a school and in a traditional type school. The evidence that we have seen up to now on the basis of the evaluations that have been done is basically this: the students are doing at least as well as students in controlled schools; that is to say, take this group of students in a bilingual program and compare them to a group of students in a traditional program and these students are doing as well as the students in the traditional program in English. This is what I am talking about. That is, they are doing as well in English in the reading and in the math as the other students.

In addition to that, they have the bonus that they are also learning Spanish, so that is kind of a benefit on top of what they have already done.

I see the look on your face. Now before you question, we have to understand one thing. Many people begin by saying, "Isn't this bilingual education approach going to handicap the children because you are taking time away from instruction in English?" If that were the case, then they should begin to progressively fall behind at a faster rate than those that are getting the total English. That is the one thing they disproved already. In spite of the fact that part of the days are in Spanish, they are still achieving at the same rate as the others.

Now I don't mean to give you a fast shuffle here because the fact that they are doing the same as the others does not necessarily mean that they are doing that well. To be perfectly frank, the other students are behind also so we still have a great deal of work to do. I think the original criticism or worry that they were going to fall further behind than those in an all English program, that has not been disproved.

Mr. Steiger. How can we have better understanding? What has happened to the 150,000 admitted critical bilingual students who are not being served?

Mr. LaFontaine. Well, basically, what we are saying is that not much has happened with those. In other words, if they are not around the school or a district where you have a bilingual program perhaps they may get into an ESL program and even that is rather limited. Basically the large percentage of those students are going to go into a regular English program; that is, they will go into a regular school, regular class, and get all the instructions given in English all day long.

These are the students that I was describing earlier that have all of the psychological advantage dumped to them and eventually drop out.

Mr. Steiger. Can I tell you that I am absolutely amazed that you are spending $11 million on bilingual education in New York and still are not meeting what I would assume would be the highest priority for a bilingual program? Or am I wrong? This is where I need some help because it does not meet the standard and whose district is bilingual in the sense that our grandparents spoke German but the second and third generation does not anymore. I can't understand how you can undertake programs for Spanish as a second language for dominant English-speaking students with limited resources when you are not meeting the needs obviously in a bilingual program.

Mr. LaFontaine. Perhaps I can help you a little there because Title VII of the legislation indicates and the regulations also indicate that English-dominant students should be included wherever possible into the bilingual program. This is part of the regulations and this has been the attitude and policy, if you will, of the Title VII Office in Washington.

In other words, wherever we found situations that we were going to have students or classes made up of only Puerto Rican students or non-English speaking students or something like that, part of the objection from Title VII was, "Well, you ought to mix them in with others," and the rationale for that was that this might be in violation of the Civil Rights Act and therefore segregation and you must bring in others who are English-dominant students.

Mr. Steiger. What about the court decision?

Mr. LaFontaine. Well, the court decision is simply saying, give us a remedy. In other words, they are saying to the school district in San Francisco that they are looking for a remedy to this case by preparing some kind of plan or directing the board to prepare a plan which would give equal educational opportunities to students.

Mr. Steiger. Why not change Title VII? Again I am searching here to tell in my mind for my own bias and background and limited understanding where is the priority? From your perspective in the kinds of areas within which you have to work, how do you rank the needs of the young people we hope to serve?

Mr. LaFontaine. I can give you my personal opinion on that—I have stated it many times—that I would go along with what you are driving at and pay attention and top priority to the students who have the needs. Those 150,000 students are the ones who have the greatest need. Therefore, those are the ones who should be serviced first and then if we have additional funds and greater assistance we can go on to other groups as well, other categories of students, but certainly there would be some apparent conflict with the whole question of the Civil Rights Act and that is something which I think has not been resolved in the minds of many.

Mr. STEIGER. I am grateful for your being here today for just your testimony has been fascinating to me.

Thank you, Mr. Chairman.

Mr. BADILLO. I hope that you will remember when the amendment comes up next week allowing the average educational expenditure of New York City to be increased you may understand why we have the problems we have, because this brings out some of the difficulties in the increased cost of education in New York City as opposed to the national average.

That really goes well over 140 percent as we will be discussing when we get to it.

Mrs. Chisholm.

Mrs. CHISHOLM. Thank you, Mr. Chairman.

There are so many questions I want to ask but I am conscious of the fact that we have three additional witnesses here and must move on.

There is one basic question, probably a statement and question combined. In view of the fact that Congress is not going to grant any more moneys caused by the assertion that there is a surplus of teachers in this country, it would seem to me on the basis of what was said to us this morning that it becomes very important therefore that perhaps we had better attach a separate amendment to Title VII specifically for teacher training because in the conglomeration of research, teacher training, different kinds of projects as outlined in our proposed bill, that teacher training might get lost completely. The reason I am raising this is because I am engaged in something that I find particularly interesting.

I have been going back in New York City in the schools with the larger number of children and have difficulty too. One of the things that is amazing to me is that children in the second, third, and fourth grades—7, 8, 9, and 10 year olds—present fantastic discipline problems to the teachers who are teaching them.

This may be because some of the children themselves are difficult by nature, but it is also due to the fact that the teachers have not had the kind of training and the understanding of the culture that is so necessary to build the relationship to educate and to teach these young children.

So, therefore, I am more convinced than ever that the whole teacher training educational system in our country needs to be reoriented and restructured.

Would you agree then and would you feel that it is important that this money be earmarked specifically for teacher training. We may not really be attacking the problem at the root.

Mr. LAFONTAINE. Absolutely. There is no question about it.

I notice in the Senate bill there was a clearly outlined section for teacher training so that I would go along with your suggestion that either an amendment or a specific section be devoted just to the teacher training.

By the way, you brought up the question about the culture training which I have not mentioned because I take it for granted almost, but I should indicate that when you talk about bilingual education we mean bilingual bicultural education.

Mrs. CHISHOLM. All right. Would you favor the earmarking of about 5 percent of the funds for bilingual research?

Mr. LAFONTAINE. Yes. In other words, that is what I was driving at, that NIE has responsibility for all research which should include bilingual education but that there should be a very definite allocation out of the NIE funds for this purpose.

Mrs. CHISHOLM. All right. In other words, you do not want any general sweeping legislation, you want legislation that is specifically earmarked to do an effective job in this area?

Mr. LAFONTAINE. Absolutely.

Mrs. CHISHOLM. Thank you very much.

Mr. LAFONTAINE. Thank you.

Mr. BADILLO. Mr. Lehman.

Mr. LEHMAN. No questions.

I would like to say I have found what you said to be quite informative and very sincere.

Thank you.

[Prepared statement of Mr. LaFontaine follows:]

STATEMENT OF HERMAN LAFONTAINE, EXECUTIVE ADMINISTRATOR, OFFICE OF BILINGUAL EDUCATION, BOARD OF EDUCATION OF THE CITY OF NEW YORK

By way of introduction, may I say that I speak not only as a professional educator intimately involved with the issues and problems of educating hundreds of thousands of children for whom English is not a native language, but also as a member of the Puerto Rican community which includes so many thousands of these children. I believe we have taken considerable strides during the last few years, and we have moved towards the resolution of some of the problems affecting our students. This movement has in large part been due to the foresight and commitment on the part of individuals such as the members of this Committee and others who have led the struggle in securing financial, moral and professional support for bilingual education programs across the nation. Needless to say, the job has not been completed in spite of these efforts. As an example, let me cite the facts pertaining to New York City with which I am most familiar. We have approximately 260,000 students of Puerto Rican background in the public schools of New York City. Of these students there are over 95,000 who are classified as students of limited English-speaking ability. In addition, there are close to 30,000 students of other Hispanic background who are similarly classified. It is interesting to note that in recent years other language groups have also been increasing rapidly so that we now have an additional 30,000 pupils classified in this same category who come from homes in which French, Italian, Greek and Chinese are the language commonly used for communication. Thus, we see that we have a total of approximately 150,000 students, who by virtue of their different language background are placed in an extremely difficult school situation. The fact that our schools operated primarily on an "English only" policy effectively denied these students the opportunity to participate in a meaningful way in the learning process. The psychological and emotional harm done to a young child who faces a strange and incomprehensive environment in the very school where his questions are supposed to be answered and his doubts are supposed to be clarified, is nothing less than devastating. And yet we continue in many of our schools to resist any effort to communicate with our students in a language they understand.

Caballeros, si tuviera que terminar este discurso en español, estoy seguro que ninguno de ustedes tendria la paciencia de escucharme hasta el final. A simple translation of this statement is that if I had to complete the rest of my testimony in Spanish, I am sure none of you would have the patience to hear me out till the end, and yet thousands of our colleagues expect from these young students an incredible amount of tolerance and patience. They see nothing wrong with having students sit in their seats, not for ten or fifteen minutes, but for days and weeks and months without understanding a word of what is taking place. The wonder is that so many more student's don't rebel against the total insensitivity towards their needs as intelligent and articulate human beings. As it is, the statistics describing the performance of our students in the schools is appalling. In a study prepared by the Puerto Rican Educators Association Incorporated, as background material for a report by the New York State Commission on the Cost, Quality and Finance of Elementary and Secondary schools (The Fleischman Commission), it was revealed that approximately 53% of the Puerto Rican students who reach high school drop out before graduation. Conservative estimates of the dropout rate for Puerto Rican students at all grade levels is close to 80%. A study of the reading scores of eighth grade students in twenty-four New York City public schools having 50% or more Puerto Rican enrollment showed that 86% were below grade level in reading. I don't want to belabor the point which by now must be familiar to you.

Puerto Rican students occupy the bottom rung of the education ladder at all levels. Few students graduate from high school. Fewer still, are able to pursue college studies and fewer still, will become the professionals that we so desparately need to return to their communities to provide a helping hand to their brothers. I am not so naive as to think that bilingual education will be a panacea to cure all of the complex problems which face our community, however, I do believe it is an important and worthwhile educational approach which can have a significant impact on these problems.

To date the assistance provided through Title VII for bilingual programs in New York City has not been sufficient to reach a large segment of the student population in need for such programs. At the present time there are approximately 13,000 pupils in bilingual programs funded under Title VII. I am attaching some tables indicating the bilingual programs that have been established in the City with the assistance of Title VII funds. It is obvious that this effort must be greatly increased. Toward this end we have been actively engaged in obtaining city tax-levy funds specifically earmarked for the establishment of bilingual programs. This effort is already bearing some results, but hardly enough to eliminate the need for continued federal assistance.

I would like to comment now on the amendments to Title VII as proposed in HR69. Basically, I find the amendments to be quite satisfactory since they do not alter the fundamental intent of the existing legislation. However, I am disappointed that the level of authorization of funds is retained at $135,000,000. We know that the present expenditure levels do not adequately service the large number of eligible students. In fact, the expenditures made under Title VII during fiscal year 1973 served 147,000 pupils. As I stated earlier, we have a greater number of eligible students in New York City alone. Having had the experience of funding policies of recent years, I strongly urge that every effort be made to assure that the amounts actually appropriated come closer to the level of authorization than has happened in the past. I also question the amendment increase which provides for an additional four years of financial assistance. Can we not continue the pattern set with the previous bill by providing a five year period of assistance ending in July 1978? In the last paragraph of Section 704 the proposed amendment allows for the establishment of bilingual programs in schools other than those described as eligible schools in the prior section. I understand that this would only be permitted once the needs of all the eligible schools in the L.E.A. were met. However, I would like to caution the Committee that the Commissioner would have to pay considerable attention to monitoring L.E.A.'s so as to assure the prevention of abuse of this section. It certainly would be most disappointing to discover ineligible schools receiving funds while eligible schools did not. Another thought which occurs to me is that if there is any intention to increase the number of schools that may receive funds, then there will definitely have to be a significant increase in the funding levels authorized. I would urge that the authorization for funding be changed to provide $200,000,000 per year for the duration of the act.

The inclusion of junior or community colleges as eligible institutions of higher education is a positive step and I would support this amendment. In New York City, large numbers of Puerto Rican students are for the first time getting the opportunity to continue their studies via the community colleges. The experience thus far at Eugenio Maria de Hostos Community College in the South Bronx clearly indicates that their bilingual program is meeting a real need for the students. This institution and others like it should be allowed to apply for funds to support their efforts in bilingual education.

The final amendment in Section 705(d) covers several crucial areas which perhaps should be emphasized more carefully. Research and demonstration projects are certainly still needed in the field of bilingual education in order to generate more accurate data on the progress and problems related to our efforts. However, with the limited funding actually being appropriated it appears that very few research projects are actually funded. Thus we continue to move ahead without a systematic compilation of scientifically acquired empirical data. In view of this situation, I would recommend that the National Institute of Education be directed to reserve a specific amount of its funds for the purpose of conducting research projects in bilingual education.

Efforts in developing projects designed to disseminate instructional materials should definitely be continued as a means of insuring the development of the most appropriate and relevant curriculum materials. My concern in this regard is that at the present time there is still no major national curriculum or dissemination project based in the northeast. The combination of substantial need, a high concentration of eligible students and a variety of valuable resources makes New York City a particularly well suited location for such a national project.

The most significant part of this amendment in my mind is the provision to fund specific programs for teacher training in bilingual education. In spite of the fact that there is presently a teacher surplus in the nation today, there is presently a teacher surplus in the nation today, there is still a very real shortage of properly trained and qualified bilingual teachers. The rapid development and expansion of bilingual programs has not been accompanied by similar activity in teacher education programs. It is absolutely essential that a greatly increased effort be made to support those institutions willing to expend the time and energy in developing well designed and relevant programs at both the graduate and the undergraduate levels. The reduced effort in E.P.D.A. and other customary sources of funds for teachers training make it virtually mandatory that Title VII provide a realistic and substantial amount of funds for this purpose if any progress is going to be made.

With the recommendations that I have made in these comments I support the passage of the proposed amendments to Title VII, ESEA. I especially urge this committee to take every step necessary to assure that the Office of Education will interpret this legislation through its guidelines and regulations in accordance with the spirit as well as the letter of the law.

Once again, may I say that I am very grateful for this opportunity to express my views on the proposed legislation for bilingual education.

Mr. BADILLO. The next witness is Mr. Joseph Monserrat who is now a member of the Board of Education of New York City.

STATEMENT OF JOSEPH MONSERRAT, MEMBER, NEW YORK CITY BOARD OF EDUCATION

Mr. MONSERRAT. Thank you.

May I say first of all that the factor of the changes in the schedule did not permit me to tender my written statement for the committee but I will have one for them.

I would like to state that as one who for many years fought for, and attempted to get, bilingual education activity this should be a happy day, but unfortunately I am not sure that it is because I find that while we are here talking about certain increases I think that H.R. 69 may give with one hand but at least as far as New York City is concerned it takes away with the other. I don't know how we are going to come out in the balance but I know the kids are going to lose either way.

I would like to start out by simply saying this. When I testified the first time on this I indicated then that we ought to be aware that we are one of the few countries in the world where a man can consider himself educated and yet speak but one language. We are the one country in the world who has received thousands upon thousands of peoples who have spoken all of the world's modern languages and yet, Mr. Steiger, as a descendant as you indicated of German parents you, like so many others, second and third generation Americans, have had their language almost eliminated by the very public school systems that were supposed to teach them language.

As a matter of fact, in the city of Cincinnati, Ohio, prior to World War II bilingual education was not new because the city ordinance of that city said that a child was entitled to an education in English or in German. When we get into the xenophobic situation of World War I and World War II we begin to find that language became an issue.

This bill to me has greater importance than I have heard here today. I believe this is a patriotic bill, if I may use that term. I believe that America needs to speak to the world in the languages that the world speaks and I believe that America more than anyone else can do so because as Walt Whitman said, "This is not a nation but a teaming nation of nations," and as a teaming nation of nations we should speak to the world in their language.

I think we have lost the cold war battles in place after place around the world because I believe where we could have taught ourselves what and how other people are like we consciously and deliberately over the years have developed a situation in which youngsters of newcomers had to become carbon copies of something they weren't.

I personally believe that this process of depersonalizing second generation Americans is probably one of the reasons why mental and emotional illnesses are the number one illness in the United States more than any other illnesses put together.

I would like to indicate in this regard that—let me use the Puerto Rican youngster in New York and let me indicate what it is that we do. A youngster who goes into a family, his mother and father speak Spanish, they may also speak some English. The youngster is raised for the first 6 years of his life around the family and he learns right and wrong by what his family teaches him.

At age 6 he enters school and he suffers his first severe blow. He learns in school that everything that was important to him was wrong beginning with his language and going on to his food and so we have a situation in which we are repeating what I believe is one of the great errors of American education because what we have done to these youngsters is that we have made them ashamed of their parents' name, ashamed of their parents' culture, ashamed of their parents' language, and quite frequently they change religion because that is the way they had to make it.

I believe that the time has come to correct a basic error in our America and I believe that this bill is a step toward helping make that correction. I believe that every youngster in the United States should be entitled to an education in more than one language because it is group education, not because as a Puerto Rican I am here pleading on behalf of my group even though I do that.

My point is that the greatest problem that our young people have is that they don't know who they are. Second generation Puerto Ricans are what sociologists call second generationitis. They are neither Puerto Rican in the sense in which their cousins are in Puerto Rico because they can't be nor are they Americans because they are not permitted to be.

A child in Puerto Rico is a child in school. A Puerto Rican child in the school system of New York City is first a Puerto Rican and then he becomes a child. Now it is to attempt to overcome these kinds of problems which create in the youngsters the main question that I hear young people in all kinds of groups asking which is, who am I? Asking what is it to be a Puerto Rican? Asking why is it wrong to be one?

I think that many youngsters of all types across this country are asking this question.

I further submit to you that I believe that the United States became a bilingual nation when it signed the treaty of 1848 when in that treaty the 75,000 residents of what used to be Mexico were given the right by the treaty to retain their language, their culture, and their religion and to become American citizens 1 year after that bill was passed if they remained in the territory.

I also agree that in 1898 when, as a result of the Treaty of Paris, what is now the Commonwealth of Puerto Rico became a part of the United States. I think again we demonstrated that we were "a bilingual nation" when in 1917 we extended citizenship to these folks.

Some of our problems are that in our country, including our own teachers, we are not aware of the fact that one can be an American citizen and not have to speak English. There are people in this category and I think we have forgotten that even one of our States like the State of New Mexico was and still is at least theoretically a bilingual State.

So the question of language has become something of an evil in a sense because if one does not speak the dominant language, one is all wrong. Therefore, I believe in this bill for the Haitian children who are coming to New York, for the Chinese children in our numerous Chinese Chinatowns, if you will. I believe in this for the Greek and for the Italian kids who are coming in and I believe in this for the Hungarian children and the Latvian and the German grandchildren of people who have a right again to know something about where their ancestors came from and why. So to me this bill should represent what it does not represent.

You ask about New York. Most of the States in our country have laws which do not permit the teaching of children in a language other than English. One of the problems in New York and one of the problems with most of the bills and most of the States is that they are only transitional in New York. The law says that you can teach bilingually a child for 3 years. There is now in process an attempt to amend that to increase it to 6 years, but how do you teach 6 years alone? How do you reach the high school levels?

Then we are talking about moving on into the college levels when we have these limitations. I think it is a shame that the State of New York—and it took us quite a bit of doing, Mr. Chairman, I will tell you. How do you get a bureau or an office of bilingual education?

I got the office of bilingual education in New York City by refusing to approve the budget. I will tell you how you also get money for tax levy. When the funds were not put in the budget, again I refused to accept the budget. We asked for $11 million, we got $6 million. New York, like most urban cities around the country, are now going to be faced with the following. What about the law? or well, what about it?

We are now being sued, rightfully so, by a number of groups who are pointing out to us that a large number of our youngsters are not getting what they are entitled to; namely, an equal education. I think it is important to point out that equal does not mean equal for these children. You cannot give children an equal education.

[At this point the witness spoke briefly in Spanish.]

Mr. MONSERRAT. That is what happens to children when they are being taught. This is not equal education. So that this bill again it seems to me should be looked at with much more importance than I believe it is being looked at.

I don't think that this is just a pseudonym for Spanish speaking youngsters. The term "bilingual education" has become that. Some people would talk about black and some people talk about others. When you start talking about bilingual in your Southwest, that means Chicano and in the North it means Puerto Rican but I think we have to expand it.

I think we have to expand it because I think we have to seek greater support among the general public in the United States to understand this, and they will.

In New York City we have 90.2 percent of all the foreign non-English-speaking youngsters in the State. We receive 60 percent of the $1 million that is appropriated and I think that is why we get only 60 percent because if we want for the whole 90 percent the State legislature would never pass the bill. So we have to scratch the money out in order to get some of the votes in order to get even the 60 percent.

I believe that this Congress may have to do something similar. We may have to get involved with others for the sake of good education in this country.

Finally I want to say in relation to this bill we get more for bilingual education, Mr. Steiger, than just the amounts of money that Mr. LaFontaine was indicating because in addition to those funds out of title I funds we spend another $18 million in bilingual education of one form or another. So that is the 6 or 4. 1 and 18 out of title I.

Now what this bill is doing, the whole of H.R. 69 will be to reduce all of the extras—or rather not even extras, to reduce the basis which we are beginning to develop in New York as a result of the formula which was through this. You are appropriating or at least you are approving $135 million. We know that only $35 million was appropriated last year.

No matter how you increase this, the manner in which you will take away from us some $50 million under the formula will in effect balance out for the negative for the city of New York. So I wish that I could say that this was a happy day.

As one who is concerned with bilingual education it is a good step, but as one who is from New York and one who is responsible for helping run the school system I can say it is a tremendously tragic day.

I would like to recommend number one that you add to the title of that Bill and don't leave it bilingual biculture. I would also recommend to you very strongly that you secure a bureau but I would like to caution you in another way. We are concerned and incensed at the lack of sensitivity at the highest levels of education in this country. We have had to go to the mat twice in 3 months with the Office of Education on the fact that insensitive questionnaires, insensitive methods of attempting to acquire information are being attempted to be pushed on to people.

When you do set up one of these bureaus I think that one of its functions is to be able to have some input into the overall educational planning so that Puerto Ricans and others do not continue to be what they have always been, which is the afterthought of the act abroad. The bill in terms of legislation is still an act of afterthought which took years and years and years before we could get where we are.

Let me congratulate you on going this far and let me hope that you go further as we can amend these bills. Again $135 million for 4 years, even if we have the $135 million each and every one of those 4 years is certainly in our knowledge. I would recommend that you at least adopt the formula of the Senate.

I really have a lot more to say, Mr. Chairman, but I know you are running behind time. I will stop here and take my questions if you have any.

Mr. BADILLO. Thank you very much, Mr. Monserrat.

You have pointed out that the problems are being brought to the attention of the board of education. I had the privilege of doing so when I was president of the Bronx. Mr. Monserrat was for many years the director of the migration division of the Commonwealth of Puerto Rico—not just of the city of New York but for the country as well.

Mr. Steiger.

Mr. STEIGER. Thank you, Mr. Chairman.

I am grateful for your testimony. I think I understand that dilemma in which you find yourself. I wish there were some reasonably easy way for the New York delegation and the rest of the country could reconcile their differences on the formula; I am not sure there is.

Mr. MONSERRAT. Save us, harmless at least.

Mr. STEIGER. Has there been up to this point an evaluation of the bilingual programs in New York City in terms of trying to help decide which are effective, which are not effective, what works, what does not work?

Mr. MONSERRAT. There are continuous evaluations. The question is have we had enough time to really evaluate the program. The bilingual school is 5 years old. I don't know how much reevaluation can be done when you are able to get one child say from the first to the fifth grade. I think one of the questions and one of the issues that was being raised is the whole question of the need for proper indepth kind of research and the levels but we do know several things.

Where Spanish is concerned we know children learn more and the reason is quite simple. Spanish is a phonetic language. Spanish reading does not provide the hangups that English provides and a number of tests have been conducted years ago which demonstrated the kids reading in English concentrate faster because they don't have the reading handicap. We believe when these kids learn reading in Spanish they will make the extra effort to read in English.

The point is that the schools should not continue to be the places for failures and our youngsters should not continue to fail. If you spot a youngster in the first grade and he is already a failure, that pattern of failure continues throughout his school career. This we have found.

We believe that there are a number of different ways. There is not any panacea to teaching either any more than there is a panacea to do learning. I think there are individual styles. I have seen various kinds of programs. I have seen programs where the teacher herself was not bilingual but working with a paraprofessional who was. She learned Spanish from the paraprofessional as she taught in English and the paraprofessional translated. I have seen all kinds of different approaches. There are different approaches.

One of the problems is that we must innovate and invent because what we are trying to do is establish some precedents that did not exist before. So I think that yes there have been evaluations but I would be less honest if I were to tell you I am satisfied with the evaluations or that I think that they necessarily give us the kinds of answers you are seeking. I don't know that we have them. I think we need them.

Mr. STEIGER. Thank you, sir, very much.

Thank you.

Mr. BADILLO. Mrs. Chisholm.

Mrs. CHISHOLM. One question. I just want to thank you so much for making the appearance before the committee and giving us the view of the city of New York. Your commitment and your dedication in this specific area are well known.

I want to ask you one question. I know I will get a frank answer from you on it, and that is this. Many of those who are non-English speaking are perceived to be less than a full citizen. There is a suggestion of inferiority or subservience on some level. How do we approach this? What do we do in terms of reeducating or reorienting the persons who are in charge of the education of the children in this country when so many of us have different attitudes? These are the persons who have the responsibility and yet they do not feel positive about the hearings.

It is one thing to have the money, to get the money, but on the other hand if those in charge of these programs have ingrained attitudes that some are less than a full citizen you know the child still can't succeed because these persons are in charge. Then what do we do?

Mr. Monserrat. I think something very interesting has happened. One of the answers I suppose is one educates. I think our education takes place in a different way. You know, we believe that we have begun to turn the corner in education in New York City. We begin to see little signs where things are beginning to go up. Reading levels are beginning to turn; they are not going down any more, they are turning.

I think that what has happened is that before now when the so-called minority youngster was in fact in a minority he was the abnormal and the system was primarily developing and working for "the normal." When you turn this around and you find that you have 35 percent of the student body plus and some 26 percent of the student body Spanish speaking so that the majority which was the "abnormal" is now the normal, you then can no longer say that they are the outside and they have to learn this way.

I think that the very situation of the change is beginning to bring the change in the teaching and in the supervising which no intergroup relations program, which no programs of visitations to Puerto Rico was able to do.

I think, like in everything else, in education it is the youngsters who will make the change, they always change it. The fact that now we have to deal with them not as a splinter minority but as the bulk of our education systems in New York, our education system will have to change. It will be forced on us and I hope that in that process that good things come.

Let me say that there are some good people in this, too, but the point it, I believe, that this change in and of itself is going to be one of the reasons why education in New York City will be the claim again because the majority will be the norm. I think this is what has happened.

May I, Mr. Chairman, just parenthetically say one word. I informally would like to thank the committee for including Puerto Rico as a State in this bill. I am sorry that you are only going to give them half the funds in this first year but I want to point out two things about it.

One of the things that can help in New York and in the 50 other cities around the country where Puerto Ricans dominate is to strengthen the educational potential in Puerto Rico so that we can do and teach better English et cetera, in Puerto Rico. I think this bill not only helps Puerto Rico, I think it helps all the communities into which Puerto Ricans move.

I would like to point out that as the fifth largest customer of the United States in the world, buying $2.2 million worth of products last year and supplying 168,000 jobs in every State across the country, this is the way Puerto Rico is paying us back.

Thank you.

Mrs. CHISHOLM. Thank you.

Mr. BADILLO. Thank you.

Mr. BADILLO. The next witness is Mr. James Harris, president-elect of the National Education Association.

STATEMENT OF JAMES HARRIS, PRESIDENT-ELECT, NATIONAL EDUCATION ASSOCIATION, ACCOMPANIED BY TOMAS VILLARREAL, NEA LEGISLATIVE LIAISON FOR BILINGUAL/BICULTURAL EDUCATION; AND JAMES W. GREEN, ASSISTANT DIRECTOR FOR LEGISLATION, NATIONAL EDUCATION ASSOCIATION

Mr. GREEN. Mr. Chairman, Mrs. Chisholm, Mr. Steiger, we appreciate the opportunity to be here.

Due to the change in date Mrs. Wise phoned she was unable to be here so president-elect Jim Harris will present the brief statement.

Mr. HARRIS. Mr. Chairman, members of the committee, interested panel, I will eliminate the portion as to the statement and give the highlights of it.

NEA is the largest professional organization in the country, representing some 1.4 million teachers and other educators. We are grateful to Chairman Perkins and members of the committee for this opportunity to discuss bilingual education.

In addition to my prepared text, I am submitting several documents to be included in the record of this hearing.

In 1965, the National Education Association and the Arizona Education Association, concerned over the educational neglect of the Mexican-American child, established a task force chaired by a renowned educator, Maria Urquides of Tucson, Ariz. The task force focused primarily on alternative educational strategies that would promote better educational opportunities for the Spanish speaking.

As a result, a document entitled "The Invisible Minority-Pero No Vencibles" was published, highlighting the need for bilingual education. Following, a symposium on "The Spanish-Speaking Child in the Schools of the Southwest" was sponsored by the National Education Association in Tucson, Ariz. in 1966. As a direct result, the title VII amendment—the Bilingual Education Act—of ESEA was enacted by the Congress of the United States in 1968.

A study presented at the National Bilingual Institute indicates that there is a need to employ 211,000 minority educators only to reach parity in the public schools of the United States. This study was based on the statistics published by the Civil Rights Office of HEW on public elementary and secondary schools in the United States.

Bilingual education teacher training programs must be made available in an effort to eliminate the deficiency in teachers qualified to conduct bilingual education programs for all children whose language is other than English—Chicanos, American Indians, Asian Americans, and other groups.

We support proposals which would provide financial resources for community and junior colleges as well as four-year institutions for bilingual education teacher training. Quality in-service and pre-service training programs must be required of eligible school districts, and they should be designed and implemented with maximum community and teacher involvement. In addition, we favor fellowships used for bilingual education teacher training. We urge the Committee to consider teacher training as a priority.

We support proposals which make NIE responsible for research in bilingual education and additionally charge NIE with the responsibility of establishing a National Center for Bilingual Education. It is necessary that such a centralized system be established so that teachers may have access to materials necessary for classroom preparation and instruction.

Furthermore, the type and kind of research in the bilingual education arena must be helpful to the student and the teacher in order to provide quality bilingual education.

One of the biggest problems in bilingual education has been the inability of the Office of Education to coordinate the various Federal funding sources—title VII—bilingual education, title I—ESEA, title I—migrant, ESAA, title III—ESEA, EPDA, and title III—higher education, et cetera. There is a need to centralize and systematize efforts in bilingual education. Therefore, it is strongly urged that a Bureau of Bilingual Education in the Office of Education be established. Such a bureau, properly organized, would definitely serve the needed purpose of coordinating the numerous bilingual education programs to avoid duplication of efforts and strengthen bilingual education in terms of effectiveness and efficiency. It is NEA's concern that monies appropriated reach the student as directly as possible, without the proliferation of bureaucratic hierarchies.

In addition, we believe:

Regional bilingual centers must be established to provide services on regional basis.

Federal financial resources must be granted to LEA's and higher education institutions must be granted to LEA's and higher education institutions that comply with OCR/HEW affirmative action guidelines.

Community and teacher involvement at all stages of program development and implementation must be placed at the highest priority and must be an integral component to eligibility.

Federal funds must be used to supplement and not supplant existing educational programs.

In conclusion the National Education Association believes that:

1. Bilingual bicultural education is inherently American.
2. Bilingual bicultural education is badly needed.
3. Bilingual bicultural education offers products of tremendous economic advantage.
4. Bilingual bicultural education is not a remedial program for culturally different children who have learning problems in the

acquisition of the English language, but rather is a program which is beneficial to all students.

Bilingual education must allow the child to develop proficiency in basic skills and to acquire content in his home or native language and culture as English is being learned as a second language.

It must provide for transferring skills, concepts, and content from one language to another, and it must allow the child to continue with his home or native language and cultural development in order to acquire language and technical proficiency in at least two languages.

Bilingual education must cross program lines and be incorporated into other programs, such as the Vocational Education Act and others.

The National Education Association, in its effort to make American education truly responsive to the needs of all Americans, urges the Congress to join hands in the battle by strengthening the legislation and adequately funding bilingual bicultural education.

We appreciate this opportunity to express NEA's support for programs in bilingual education.

[The written statement and addendum follow:]

STATEMENT OF DR. HELEN D. WISE PRESIDENT OF THE NATIONAL EDUCATION ASSOCIATION

Mr. Chairman and Members of the Committee, I am James Harris, President-Elect of the National Education Association. I am presenting the statement for Dr. Wise who is unable to be present due to the change in the date of the hearing. With me today are Thomas Villarreal, NEA Legislative Liaison for Bilingual/Bicultural Education, and James W. Green, Assistant Director for Legislation, National Education Association.

NEA is the largest professional organization in the country, representing some 1.4 million teachers and other educators. We are grateful to Chairman Perkins and Members of the Committee for this opportunity to discuss bilingual education.

In addition to my prepared text, I am submitting several documents to be included in the record of this hearing.

I. State of the Art of Bilingual Education

A. HISTORICAL BACKGROUND

According to studies conducted by Theodore Andersson, bilingual education has been practiced in the United States since the early 1800's. However, it is important to note that bilingual education can be traced back as far as the beginning—ever since homo sapiens have roamed this planet.

For years, many states prohibited the use of any language other than English for instructional purposes. In fact, only recently have some state legislatures repealed those statutes to permit the use of another language in the classroom and playground. Unfortunately, several states still retain those archaic prohibition laws that stifle and warp the polycultural pan Americanism—the core, the real true fabric this country represents.

American education historically has perpetuated the values and beliefs of the majority culture. These values and beliefs are frequently in direct conflict with the culturally and linguistically distinct school children and adults. The assimilation educational strategies currently employed have failed to make whites out of Chicanos, blacks, native Americans, and Asians, and have seriously impeded the learning of many children. We believe that linguistic and cultural diversities will enrich the American mainstream and they should be respected and encouraged through bilingual education.

B. PRESENT SITUATION

In 1965, the National Education Association and the Arizona Education Association, concerned over the educational neglect of the Mexican-American child, established a Task Force chaired by a renowned educator, Maria Urquides of Tucson, Arizona. The Task Force focused primarily on alternative educational strategies that would promote better educational opportunities for the Spanish speaking. As a result, a document entitled "The Invisible Minority . . . Pero No Vencibles" was published, highlighting the need for bilingual ducation. Following, a Symposium on "The Spanish-Speaking Child in the Schools of the Southwest" was sponsored by the National Education Association in Tucson, Arizona, in 1966. As a direct result, the Title VII Amendment—the Bilingual Education Act—of ESEA was enacted by the Congress of the United States in 1968.

II. Federal Funding

Recognizing the need to provide a more responsive education to the linguistically distinct child, Congress authorized and appropriated federal dollars for "demonstration bilingual education projects," ranging from $7.5 million in FY '69 to $35 million in FY '73. Grants began in FY '69 with some 70 projects. In FY '73 there were approximately 217 projects funded—but even so, the population served is less than 3% of the total eligible for bilingual education under the guidelines and regulations. Generally, the choice of what sort of program to implement is determined by practical local conditions. Program models range from English as a Second Language (ESL) to a full bilingual/bicultural model concentrated mostly in the elementary grades due to the demonstration nature of the program and limited appropriations. Additionally, the majority of programs are concentrated in areas where the population is economically disadvantaged. This is primarily because of the eligibility requirements which identify $200 or AFDC as the poverty level.

Although Title VII of ESEA is specifically designed for bilingual education, several other Titles and programs can provide for bilingual programs: Title I of ESEA, the Emergency School Air Act of 1973 with 4% set-aside, Head Start, Indian Education, Education Professions Development Act, and Title III of the Higher Education Act.

III. State Funding

In a survey conducted for the National Bilingual Institute recently held in Albuquerque, New Mexico, sponsored by the NEA and the National Education Task Force de la Raza, we identified approximately 14 states that have legislation and history permitting bilingual education. Unfortunately, most states provide minimal funding for bilingual education. A summary of the survey findings is attached to this testimony.

IV. Recommendations

Based primarily on the recommendations articulated by the participants at the National Bilingual Institute held recently in Albuquerque, New Mexico, sponsored by the NEA and the National Education Task Force de la Raza, the following recommendations are suggested for your consideration:

Teacher training

A study presented at the National Bilingual Institute indicates that there is a need to employ 211,000 minority educators only to reach parity in the public schools of the United States. This study was based on the statistics published by the Civil Rights Office of HEW on public elementary and secondary schools in the United States.

Bilingual education teacher training programs must be made available in an effort to eliminate the deficiency in teachers qualified to conduct bilingual education programs for all children whose language is other than English—Chicanos, American Indians, Asian Americans, and other groups. We support proposals which would provide financial resources for community and junior colleges as well as four-year institutions for bilingual education teacher training. Quality in-service and pre-service training programs must be required of eligible school districts, and they should be designed and implemented with maximum community and teacher involvement. In addition, we favor fellowships used for bilingual education teacher training. We urge the Committee to consider teacher training as a priority.

Curriculum development and dissemination

We support proposals which make NIE responsible for research in bilingual education and additionally charge NIE with the responsibility of establishing a National Center for Bilingual Education. It is necessary that such a centralized system be established so that teachers may have access to materials necessary for classroom preparation and instruction.

Furthermore, the type and kind of research in the bilingual education arena must be helpful to the student and the teacher in order to provide quality bilingual education.

Organization of the Federal effort

One of the biggest problems in bilingual education has been the inability of the Office of Education to coordinate the various federal funding sources—i.e., Title VII-Bilingual Education, Title I-ESEA, Title I-Migrant, ESAA, Title III-ESEA, EPDA, and Title III-Higher Education, etc. There is a need to centralize and systematize efforts in bilingual education. Therefore, it is strongly urged that a Bureau of Bilingual Education in the Office of Education be established. Such a Bureau, properly organized, would definitely serve the needed purpose of coordinating the numerous bilingual education programs to avoid duplication of efforts and strengthen bilingual education in terms of effectiveness and efficiency. It is NEA's concern that monies appropriated reach the student as directly as possible, without the proliferation of bureaucratic hierarchies.

In addition, we believe:

Regional bilingual centers must be established to provide services on regional basis;

Federal financial resources must be granted to LEA's and higher education institutions that comply with OCR/HEW Affirmative Action Guidelines;

Community and teacher involvement at all stages of program development and implementation must be placed at the highest priority and must be an integral component to eligibility;

Federal funds must be used to supplement and not supplant existing educational programs.

V. Conclusion

The National Education Association believes that:

1. bilingual bicultural education is inherently American;
2. bilingual bicultural education is badly needed;
3. bilingual bicultural education offers products of tremendous economic advantage;
4. bilingual bicultural education is not a remedial program for culturally different children who have learning problems in the acquisition of the English language, but rather is a program which is beneficial to all students.

Bilingual education must allow the child to develop proficiency in basic skills and to acquire content in his home or native language and culture as English is being learned as a second language.

It must provide for transferring skills, concepts, and content from one language to another, and it must allow the child to continue with his home or native language and cultural development in order to acquire language and technical proficiency in at least two languages.

Bilingual education must cross program lines and be incorporated into other programs, such as the Vocational Education Act and others.

The National Education Association, in its effort to make American education truly responsive to the needs of all Americans, urges the Congress to join hands in the battle by strengthening the legislation and adequately funding bilingual bicultural education.

We appreciate this opportunity to express NEA's support for programs in bilingual education.

STATES WITH STATE BILINGUAL/BICULTURAL LEGISLATION ON OTHER PROVISIONS ALLOWING BILINGUAL/BICULTURAL EDUCATION

1. *Alaska*—Bilingual/bicultural legislation includes $200,000 which was appropriated for the school year 1972–73.

2. *California*—The Bilingual Education Act of 1972 was enacted and $5 million was appropriated for its program. Since then, the legislature has passed the Bilingual Teachers Act and appropriated $20,000 for teacher training.

3. *Connecticut*—Although the state has no specific bilingual education, Connecticut has two laws giving sanction which are permissive for bilingual/bicultural education. The State Act for Disadvantaged Children earmarked $7 million.

4. *Illinois*—Provisions for bilingual/bicultural education have been enacted. Money is allocated for this type of program and appears as an in-line, cost item in the budget. ($4.5 million is being proposed for supporting bilingual/bicultural programs with state monies.)

5. *Louisiana*—Extensive legislation for bilingual/bicultural education (predominately French) has been enacted. They established Council on the Development of French in Louisiana, (CODOFIL) with a budget of $1 million, all of which are state monies.

6. *Maine*—Maine's six-year-old statute is in line with the concept of bilingual/bicultural education. The statute is permissive and allows for bilingual education programs "to use BE techniques in preschool through second grade." (They have removed the second grade limitation for teaching in the mother tongue.) Maine is a member of Council on the Development of French in New England, (CODOFINE). Funds for supporting these programs come out of the general education budget.

7. *Massachusetts*—The state has bilingual/bicultural legislation (Transitional Bilingual Education Act, 1971) which funds over and above per capita cost with a floor of $250 and a ceiling of $500. Funds come out of the general aid to education.

1st year—$1.5 million allocated.
2nd year—$2.5 million allocated.
3rd year—$2.5 million allocated.
4th year—$4 million allocated.

8. *Michigan*—The state appropriated $88,000 for bilingual/bicultural programs. Funds come out of state education budget. There is no specific bill-just authorization to use the money for this purpose.

9. *New Mexico*—The state now has two laws which are permissive of bilingual/bicultural education (House Bill 270, 1971; Senate Bill 155). House Bill 270 allocates no money for bilingual/bicultural education programs. However, it permits the school districts to use part of their appropriation for BE programs if they see a need to do so. Senate Bill 155 in 1971 allocated $100,000 but none in 1972.

10. *New York*—The state has now passed legislation on bilingual/bicultural education and appropriated $1.5 million. The program is designed to be transitional, but actually the grants are for programs K–12 in auto-mechanics, business skills, cosmetology, math, reading, and science.

11. *Oregon*—Legislation allows English to be taught as a second language in any Oregon school. However, there are no State appropriations.

12. *Pennsylvania*—The state has no specific legislation on bilingual/bicultural education. However, Pennsylvania has some directives applicable to bilingual programs, which were sent to all school districts within the State. They received the School Administrators Memorandum 515, Guidelines for Educational Programs for Children whose Dominant Language Is Not English. These guidelines make it mandatory to offer bilingual programs using State and local funds.

13. *Texas*—There is now bilingual/bicultural legislation. Earlier this year, $1.2 million was appropriated for bilingual programs.

14. *Washington*—The state has specific bilingual/bicultural legislation and guidelines, and $700,000 was appropriated.

States with pending legislation: 1. Colorado, and 2. New Jersey.

States Without Bilingual/Bicultural Legislation: Alabama, Arizona, Arkansas, Delaware, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Ohio, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

NOTE.—Hawaii was not included in survey.

"STATISTICAL PROJECTION OF NEED FOR SPANISH-SPEAKING TEACHERS FIFTY STATES AND 18 LEADING CITIES"

[Remarks of Samuel B. Ethridge, Relook at Tucson: National Bilingual Institute]

ALBUQUERQUE, NEW MEXICO,
Friday, November 30, 1973.

Padre Casso, El Excelente Huerta, Senoras y Señores, Hermanas y Hermanos, My heart is full of joy because you have permitted me to be a part of this institute and many other milestones which have been yours. You permitted me to share in the pioneer work at Tucson and you have permitted me to share with you in the hills and valleys in the victories and defeats which have led to your finest hour here in Albuquerque.

Forgive me for looking back at the past for I have not come here to reminisce. I have come here to talk about some of our unrealized dreams, and about this struggle which still lies ahead about the battles which we have yet to mount.

About eight weeks ago, I had the occasion to receive an advance copy of the HEW census of teachers and students of the nation's school districts, by states, major cities, by race and ethnic group.

On October 19, in New York City, I gave our first analysis of these statistics. You may have read in your papers my general summary.

I reported at that time that minority groups were being shortchanged by over 200,000 teaching jobs in the public elementary and secondary schools.

In 1972, the enrollment of the nation's public schools was 44.6 million students. Of these 6.7 million were black; 2.3 million Spanish-speaking; 333,000 Asians and 322,000 First Americans. The total teaching population was 1.96 million. 186,000 teachers were Afro-American; 22,800 were Spanish-speaking; 7,300 Asians and 2,800 First Americans. Expressed another way, this is one teacher for every 22.5 American children; one Asian teacher for every 31 Asian children; one black teacher for every 36 black children; one Indian teacher for every 86 Indian students; and one Spanish-speaking teacher for every 107 Spanish-speaking children and one minority teacher for every 20 non-minority student.

To overcome the severe effects of present and past discrimination against Spanish-speaking people in this country and to bring about a ratio of Spanish-speaking students to Spanish-speaking teachers which more or less approximates the national average of 22.5. I estimate that we need to employ at least 84,500 more Spanish-speaking teachers. Using the same criteria, we would need to employ 116,000 more black teachers; 7,400 more First American teachers and 3,000 more Asian teachers.

In my remarks to the Association for the Study of Afro-American History last month, I released the data on Afro-American pupil-teacher ratios by state and by major population area. At that time, we had not thoroughly analyzed the data for the other minorities. Because we knew of this conference and because we knew you would be particularly interested in a detailed analysis of the data as it relates to Spanish-speakers, my colleagues Donald Shire and Dr. Boyd Bosma and I have made a special effort to develop some preliminary finding for first-time release to the National Institute on Bilingual Education.

If our national summary made you sick, the state by state analysis will turn your stomach.

The worst state statistics based on the Afro-American population was one teacher to 132 Afro-American students. Stated another way, there was one black teacher out of every six classes of 22.5 black students. The worst state statistics for Spanish-speaking population is one teacher for every 507 Spanish students. This means one Spanish-speaking teacher for every 21 classes of Spanish-speaking students. Idaho, with ten Spanish-teachers, would need to hire 21 teachers for every one they now have or a total of 211 new Spanish-speaking teachers.

Montana, with seven Spanish-speaking teachers and 1,522 students and a ratio of 217, would ~~need to~~ employ nine Spanish-speaking teachers for each Spanish-speaking teachers employed in 1972 or a total of 62.

New York state is third over all and first among the states with significant Spanish-speaking populations. With a ratio of one Spanish-speaking teacher for every 197 students, New York would need to employ 14,800 additional Spanish-speaking teachers to bring it in line with the state pupil-teacher ratio of 20. More than half the states have a ratio of one Spanish-speaking teacher for every 90 Spanish-speaking children.

Two states, California and Texas, have a displacement factor which is fifty percent of the total. To teach the average state ratio of 25, California with a ratio of 143 to one would need 24,200 additional Spanish-speaking teachers while Texas with a ratio of 77 to one needs 14,900 more Spanish-speaking teachers to reach its state ratio of 22.

Because of the unusual demographic pattern of Spanish-speaking population, a concentrated attack in three states, Texas, California and New York, if successful, would have a potential of 70 percent of the 84,500 Spanish-speaking teachers needed to approximate the national average.

By adding New Mexico, Arizona, Illinois, Florida, Colorado, New Jersey, and Michigan to the Big Three, a successful attack could yield 90 percent of the total. Rather than bore you with all the statistical news, I have brought along copies of the data by states, listed in order of the state percent.

I should add that Vermont, which ranked number one in employment of black teachers has an even better record for hiring Spanish-speaking teachers. But because this involves only 37 students and six teachers, this is not statistically significant.

North Dakota, which ranked number 50 in the employment of blacks with 132 to one, ranks second in hiring Spanish-speaking teachers with a ratio of ten Spanish-speaking students to each Spanish-speaking teacher.

Other states with per pupil-teacher ratios below 30 for Spanish-speaking population include North Carolina with 22 to one; Maine with 25 to one; Alabama with 27 to one and Alaska with 29 to one.

TALE OF THREE CITIES

A successful affirmative action program or legal remedy in three cities, New York, Chicago and Los Angeles, has a potential for more than 20 percent of the 84,500 Spanish-speaking teachers needed.

With a high concentration of Puerto Ricans and other Spanish-speaking students, New York City which had a ratio of one black teacher for every 83 black students moves from number 2 to number one among the Spanish-speaking community with a ratio of one Spanish teacher for every 241 Spanish-speaking students. To approach any kind of equity, New York would need to hire ten additional Spanish-speaking teachers for everyone which it employed in 1972 or a total of 13,700 additional Spanish-speaking teachers.

Los Angeles, with a ratio of one to 224, would need to hire 4,800 more; Chicago with a ratio of one to 237, would need to hire 2,100 more.

Success in the above cities and 15 other cities in five other states: Texas, Colorado, Florida, New Jersey and New Mexico, would have a potential for 40 percent of the total U. S. To save your ears, I have brought along our data on the 18 U.S. cities with enrollment of 10,000 or more Spanish-speaking children for the school year 1971-72. The significant fact about these 18 cities is that everyone is 2.5 times the national average.

But I have not come here to cry over these appalling figures. They hurt too much to cry. I have come here to urge you to go forth from this place with a plan for action. I have come here to ask you to utilize the new tools now available to us to fight discrimination in hiring. I have brought with me our latest publication entitled, "Combating Discrimination in Schools, Legal Remedies and Guidelines."

I have come to ask that we begin using Title VII of the Civil Rights Act which has recently been amended to cover teachers and other public employees. I have come to ask that we learn about and use the Title IX Amendment to the Higher Education Act of 1973; and that we learn about and use the Equal Pay Amendment. If you are interested in starting your own affirmative action program, ask for the "Know the Law" kit at the desk or write me at NEA Headquarters, Washington, D.C. In closing, let me talk about one provision of these laws which we may find not only helpful but profitable. Most of the new laws provide for up to two years back pay for the persons whose rights have been abridged.

In a highly publicized discrimination case against AT&T, female employees won a $25,000,000 judgment for back pay. Last month's Newsweek and Time carry reports of a $4,000,000 judgment against Detroit Edison in a racial discrimination case. There are several cases where school systems have been ordered to bring their minority faculty ratios up to the student ratios. I have every reason to believe that right is on our side and that minority teachers will begin to win discrimination in hiring cases including back pay for past discrimination.

Can you imagine what it would cost in back pay to settle with 200,000 minority educators? My quick calculation is that it would cost nearly 3 billion dollars for school boards to meet significant numbers of such judgments when they come.

Incidentally, while we are at it, I think we should also ask the judges to remove from office those school officials who continue to discriminate against either students or teachers as we continue the struggle to achieve equal educational opportunity.

WHY BILINGUAL TEACHERS?

I suppose many of you are wondering why I'm talking about employment. After all this is a bilingual conference.

I submit that the effectiveness of any bilingual program depends primarily on the availability of teachers, principals, counselors, administrators, and other educational personnel who are capable of meeting the language needs of both English and Spanish-speaking children within the learning situation.

Moreover, the Senate Select Committee on Equal Educational Opportunity, headed by Senator Walter Mondale, heard hours and hours of testimony which indicate that from 15 to 90 percent of the Puerto Rican, Mexican-American and other Spanish-speaking students are illiterate in two languages, depending on the school reporting.

I submit that all that we do here is for naught unless we find a way to make significant increases in the number of bilingual-bicultural teachers throughout the United States, particularly in those ten states with significant bilingual bicultural students.

When I went to Tucson, I think I indicated that I had come to light a candle for bilingual education and I asked the participants to go back to their homes and do likewise.

Here in Albuquerque, I am tempted to ask you to light a bon fire but given the history of my community, Center City Washington, D.C., I dare not do that for fear of being misunderstood. But I feel I need to light something more powerful and more modern than a candle. So for the first time in my career I am lighting a "flashlight" and ask each of you to go back home and shine a "search" light on every personnel office to expose bigotry and discrimination in employment whether it be based on race, language, national origin, religion or sex.

Grácias. You honor me by permitting me to share in this historic moment.

BEST COPY AVAILABLE

School districts over 10,000 Spanish students	City totals			Nonminority			Spanish					Projection	Differences, number of Spanish teachers needed
	Students	Teachers	Pupil-teacher ratio	Students	Teachers	Pupil-teacher ratio	Students	percent	Teachers	Percent	Pupil-teacher ratio		
New York City	1,125,449	55,788	20	400,495	49,404	8	298,903	26.6	1,239	2.2	241	14,945	13,706
Chicago	553,342	21,808	25	170,373	13,170	13	61,423	11.1	259	1.2	237	2,457	2,198
Los Angeles	620,659	23,318	27	293,303	18,078	16	148,109	23.9	660	2.8	224	5,486	4,825
Montebello, Calif	24,564	853	29	8,996	707	13	14,121	57.5	70	8.2	202	487	417
Houston, Tex	225,410	8,255	27	98,282	5,053	19	37,281	16.5	203	2.5	184	1,381	1,178
Denver, Colo	91,616	4,036	23	53,420	3,494	15	21,383	23.3	131	3.2	163	930	799
Dallas, Tex	154,581	6,324	24	78,214	4,388	18	15,908	10.3	129	2.0	123	663	534
San Antonio, Tex	72,305	2,949	25	14,173	2,091	7	46,484	64.3	385	13.1	121	1,859	1,474
Dade County, Fla	241,809	9,396	26	116,939	6,791	17	60,210	24.9	502	5.3	120	2,316	1,814
Ysleta, Tex	36,736	1,497	24	12,140	1,218	10	23,287	63.4	250	16.7	93	970	720
Harlandale ISD, Tex	18,404	771	24	5,203	608	9	13,108	71.2	143	18.5	92	546	403
Newark, N.J	78,492	3,996	20	9,638	2,281	4	11,981	15.3	130	3.3	92	599	469
San Diego, Calif	124,487	4,918	25	91,725	4,423	21	14,052	11.3	155	3.2	90	562	407
Albuquerque, N. Mex	86,658	3,261	27	49,764	2,671	19	32,574	37.6	512	15.7	64	1,206	694
San Francisco	81,970	4,191	20	26,067	3,239	8	11,511	14.0	183	4.4	63	576	393
Edgewood ISD, Tex	22,590	922	25	716	463	2	20,544	90.9	332	36.0	62	821	489
El Paso, Tex	62,404	2,598	24	24,096	1,886	13	36,026	57.7	606	23.3	59	1,501	895
Corpus Christi, Tex	45,567	2,028	22	18,798	1,513	12	24,172	53.0	428	21.1	56	1,099	671

State	Total Spanish of Nation	State totals			Nonminority			Spanish					Projection	Difference, number of Spanish teachers needed
		Students	Teachers	Pupil-teacher ratio	Students	Teachers	Pupil-teacher ratio	Students	Percent	Teachers	Percent	Pupil-teacher ratio		
California	30.4	4,441,309	175,599	25	3,145,657	156,719	20	733,767	16.5	5,144	2.9	143	23,351	24,207
Texas	24.4	2,611,177	117,341	22	1,595,365	96,378	17	589,680	22.6	7,626	6.5	77	26,804	19,178
New York	13.7	3,456,980	171,926	20	2,536,389	162,317	16	331,539	9.6	1,679	1.0	197	16,577	14,898
New Mexico	4.6	281,823	11,960	24	141,771	9,536	15	111,049	39.4	2,149	18.0	52	4,627	2,478
Arizona	3.8	468,446	19,663	24	332,008	18,160	18	91,121	19.5	957	4.9	95	3,796	2,839
Illinois	3.6	2,262,463	99,630	23	1,738,909	88,056	20	86,787	3.8	496	.5	175	3,773	3,277
Florida	3.3	1,494,729	63,614	23	1,065,-50	50,881	21	80,115	5.4	1,138	1.8	70	3,483	2,345
Colorado	3.2	556,678	24,362	23	452,920	22,961	20	76,089	3.7	710	2.9	107	3,308	2,598
New Jersey	3.1	1,468,859	73,402	20	1,155,924	67,232	17	75,608	5.1	567	.8	133	3,780	3,213
Michigan	1.3	2,173,211	86,234	25	1,825,724	78,158	23	31,671	1.5	280	3.6	113	1,267	987
Connecticut	.9	673,769	33,813	20	588,131	32,388	18	22,702	3.4	206	.6	110	1,135	929
Ohio	.8	2,404,743	99,323	24	2,085,602	92,873	22	19,659	.8	126	.1	156	819	693
Pennsylvania	.7	2,305,858	101,624	23	2,014,527	96,006	21	18,001	.8	92	.1	196	783	691
Washington	.7	786,929	31,795	25	725,001	30,856	23	17,579	2.2	97	.3	181	703	606
Massachusetts	.7	1,178,237	59,473	20	1,098,248	58,353	19	16,986	1.4	156	.3	109	849	693
Indiana	.6	1,206,942	50,113	24	1,074,610	47,114	23	15,603	1.3	154	.3	101	650	496
Utah	.5	312,417	12,032	26	292,874	11,882	25	11,392	3.6	69	.6	165	438	369
Wisconsin	.4	984,326	44,761	22	920,412	43,620	21	10,419	1.1	81	.2	129	474	393
Kansas	.4	502,975	24,311	21	456,287	23,440	19	10,282	2.0	107	.4	96	490	391
Oregon	.3	468,690	22,129	21	446,422	21,672	21	6,451	1.4	66	.3	98	307	241
Oklahoma	.3	544,495	23,978	23	448,589	21,580	21	6,437	1.2	59	.2	109	280	221
Idaho	.2	172,869	7,625	23	164,421	7,569	22	5,078	2.9	10	.1	507	221	211
Maryland	.2	921,090	38,385	24	679,450	30,469	22	4,670	.5	85	.2	55	195	110
Minnesota	.2	926,446	43,315	21	898,059	42,853	21	4,566	.5	50	.1	91	217	167
Nevada	.2	130,751	5,290	25	111,341	4,938	23	4,530	3.5	80	1.5	57	181	101

State	Total Spanish of Nation	State totals			Nonminority			Spanish					Projection	Difference, number of Spanish teachers needed
		Students	Teachers	Pupil-teacher ratio	Students	Teachers	Pupil-teacher ratio	Students	Percent	Teachers	Percent	Pupil-teacher ratio		
Louisiana	.2	851,018	36,797	23	499,875	24,578	20	4,324	.5	37	.1	117	188	155
Nebraska	.2	262,168	12,613	21	243,043	12,344	20	3,915	1.5	23	.2	170	186	163
Wyoming	.2	80,431	4,267	19	73,670	4,201	18	3,643	4.5	39	.9	93	192	153
Virginia	.1	1,060,148	47,474	22	791,602	38,451	21	3,297	.3	68	.1	48	150	82
Iowa	.1	632,638	30,821	21	617,154	30,551	20	2,979	.5	53	.2	56	142	89
Missouri	.1	1,004,810	44,201	23	849,197	39,932	21	2,631	.3	69	.2	38	114	45
Georgia	.1	1,084,830	45,546	24	710,619	33,242	22	1,426	.1	44	.1	32	59	15
Montana	.1	136,458	6,284	22	128,458	6,237	21	1,522	1.1	7	.1	217	69	62
Rhode Island	.0	185,786	9,049	21	176,148	8,903	20	1,098	.6	16	.2	69	52	36
North Carolina	0	1,180,050	48,065	25	815,393	36,788	22	1,092	.1	50	.1	22	44	+6
Delaware	0	133,516	5,949	23	103,943	5,031	21	945	.7	17	.3	56	41	24
District of Columbia	0	140,000	5,902	24	4,928	875	6	818	.6	25	.4	33	34	1
South Carolina	0	629,893	26,880	23	366,935	18,521	20	595	.1	17	.1	35	26	9
Arkansas	0	417,390	18,510	23	315,697	15,596	20	567	.1	3	0	189	25	22
Alaska	0	83,233	3,862	22	64,970	3,657	17	519	.6	18	.5	29	24	6
Tennessee	0	896,942	35,952	25	702,924	30,082	23	510	.1	16	0	32	20	6
South Dakota	0	153,624	7,493	21	143,470	7,445	19	449	.3	5	.1	90	21	16
Mississippi	0	423,723	23,529	22	257,887	14,048	18	377	.1	12	.1	31	17	5
West Virginia	0	410,184	17,500	23	391,015	16,891	23	332	.1	9	.1	37	14	5
Alabama	0	761,502	30,806	24	508,963	22,058	24	323	0	12	0	27	13	1
North Dakota	0	118,484	5,844	20	113,350	5,802	20	298	.3	31	.1	10	15	+16
New Hampshire	0	161,988	7,641	21	160,799	7,613	21	267	.2	4	.1	67	13	9
Kentucky	0	722,125	30,466	24	658,706	28,925	23	251	0	6	0	42	10	4
Maine	0	207,402	9,487	22	206,055	9,470	22	178	.1	7	.1	25	22	15
Vermont	0	72,054	3,995	18	71,757	3,982	18	37	.1	6	.1	6	3	+3

Mr. BADILLO. Thank you, Mr. Harris.

Mr. Steiger.

Mr. STEIGER. You did a wonderful job in summarizing your statement, Mr. Harris. Thank you.

How many teacher training institutions at the moment are providing training for bilingual teachers? Is that in your appendix somewhere that I have not gotten to? Do you have that information?

Mr. VILLARREAL. May I answer that. We have a list of universities that do provide some sources of bilingual education training, it is published by the Dissemination Center for Bilingual/Bicultural Education in Austin, Tex. We have a list, and we will provide it for the record. It was published on February 26, 1973, and it probably needs to be updated, but we do have some universities that do offer some kind of teacher training. However, it is not as inclusive as we might want to have it.

Courses in bilingual education are offered, for example, in Arizona State at Tempe and Tucson and others. California has some of the best with five universities training teachers in bilingual education. We have some others: for example Massachusetts has three that do provide some bilingual education training, and New York has 32 universities. It is either English as the second language or Chicano studies, or Puerto Rican students, which is considered to be a component of the ongoing bilingual education process.

However at this point we have no university with the exception of the University of New Mexico that provides extensive bilingual education and offers a degree program at the University of New Mexico undergraduate degrees are offered in addition to a master's degree program at New Mexico, Highland University, but as far as I know those are the only ones.

Mr. STEIGER. Is that attached to your statement?

Mr. HARRIS. We will see that it is.

Mr. STEIGER. I would appreciate that very much, and perhaps, Mr. Chairman, we can incorporate that.

[The list referred to follows:]

DISSEMINATION CENTER FOR BILINGUAL BICULTURAL EDUCATION
BILINGUAL TEACHER TRAINING PROGRAMS (FEBRUARY 27, 1973)

State education agencies which have bilingual components have been asked for information concerning college and university programs which offer: an undergraduate major, a graduate level major, or teacher training of other types: which are designated as "bilingual education."

The following information has been compiled by the Center:

ARIZONA

Offer courses in bilingualism:
  Arizona State University at Tempe
  University of Arizona at Tucson
  Northern Arizona University at Flagstaff
Offer graduate major in bilingualism:
  Northern Arizona University at Flagstaff

CALIFORNIA

Are developing teacher training bilingual programs:
  California State University at Northridge
  California State University at Los Angeles
  California State University at Dominquez Hills
  California State University at Sacramento
  California State University at Fullerton

Graduate sociology Chicano caucus courses:
- University of California at Berkley

COLORADO

Going through channels to adopt a major:
- University of Northern Colorado at Greeley

Composte major along with elementary education:
- Southern Colorado State College

Submitted proposal for bilingual bicultural education Major:
- Adams State College

ILLINOIS

Graduate programs planned:
- Chicago State University
- Loyola University

Undergraduate program planned:
- Northern University

MASSACHUSETTS

Teacher training programs specializing in bilingual education:
- University of Massachusetts at Amherst
- Boston State College
- Emmanuel College at Boston

NEW MEXICO

Master's degree in bilingual education and undergraduate minors offered:
- The University of New Mexico
- New Mexico Highlands University

NEW YORK

Offering courses in English as a second language:
- Mercy College in Westchester County
- Teachers College Columbia University
- Rockland Community College
- Hostos Community College
- Borough of Manhattan Community College
- Orange County Community College
- Cornell University
- State University of New York at Albany
- Columbia University
- Syracuse University
- New York University, New York, New York
- Hunter College
- State University: Agriculture and Technical College
- State University of New York at Courtland
- Bronx Community College
- Long Island University, Zeckendorf Campus
- Staff University of New York at Buffalo
- Academy of Aeronautics at Flushing
- Harriman College
- Rosary Hill College
- Fiorello H. LaGuardia Community College
- Nazareth College of Rochester
- University of Rochester
- Staten Island Community College
- Monroe Community College
- State University of New York at Purchase
- Nassau Community College
- City University of New York
- Mater Dei College at Ogdensburg
- State University College at New Paltz
- Bank Street College of Education
- College of Mt. Saint Vincent on-Hudson

- Offering courses in bilingual education:
  - Hostos Community College
  - Cornell University
  - State University of New York at Albany
  - Columbia University
  - New York University, New York, New York
  - The City University of New York
  - Long Island University
  - The Jewish Theological Seminary of America
  - State University College at New Platz
  - Bank Street College of Education, New York, New York
  - College of Mt. Saint Vincent on Hudson
- Offering Puerto Rican studies:
  - Teachers College Columbia University
  - State University of New York at Binghamton
  - Hostos Community College
  - The City College of the City University of New York
  - New York City Community College
  - Borough of Manhattan Community College
  - Cornell University
  - State University of New York at Albany
  - St. Joseph's College at Brooklyn
  - Hunter College
  - Nazareth College of Rochester
  - Staten Island Community College
  - Monroe Community College at Rochester
  - The City University of New York
  - Mater Dei College at Ogdensburg
  - Bronx Community College
  - Long Island University
  - The University of New York at Buffalo
  - Brooklyn College of the City of New York
  - Harriman College
  - Rosary Hill College at Buffalo
  - Bank Street College of Education
  - Queens College of the City University of New York
- Offering undergraduate and master degree in bilingual education:
  - The City College of the City University of New York

TEXAS

- Offering approved undergraduate programs for bilingual education on a pilot basis:
  - St. Edward's University at Austin
  - University of Texas at Austin
  - Our Lady of the Lake at San Antonio
  - Texas Women's University at Denton
  - Pan American University at Edinburg
  - Texas A & I University at Kingsville
- Offering bilingual education teacher-training programs for elementary teachers:
  - Southwest Texas State University at San Marcos

Mr. STEIGER. Are there any States that make it illegal to teach children in a foreign language?

Mr. VILLARREAL. I beg your pardon.

Mr. STEIGER. Are there any States that make it illegal to teach children in a foreign language?

Mr. VILLARREAL. At this point in time, there are some States in the United States that will prohibit the use of another language other than English for the instructional purpose. We do have a list of those States. Mr. Harris referred to the list in the addendum of the States that do provide moneys and do have some legislation. There are 14 States that allow students to be instructed in another language and provide funds for that purpose. However, there are some other States that have a statute prohibiting the use of another language.

May I add further, even though some States have legislation permitting the use of another language, school policies sometimes do not permit the practice, and don't allow the chilrren to speak another language while at school. Many schools still practice this according to the latest report of the study.

Mr. HARRIS. May I add a further comment, Mr. Steiger.

Mr. STEIGER. Yes.

Mr. HARRIS. If there is any information of this type that you would like, you may have the benefit of our research unit. If you would provide us with those questions I will see to it that the information is forwarded to the committee.

Mr. BADILLO. Would the gentleman yield?

Mr. STEIGER. Yes.

Mr. BADILLO. You have in your appendix a list of 14 States that provide bilingual education.

Mr. HARRIS. Yes.

Mr. BADILLO. We would like to know whether the others prohibit bilingual education. We think it would be useful to us if we know exactly what the situation is. If you would give it to us, it would be helpful.

Mr. HARRIS. Yes, that or any additional questions you may have concerning specific statistics available in our research unit. If we could get those questions we will see that answers are provided to you.

Mr. STEIGER. I have a list of questions, and we will submit them to you if that would be acceptable and look forward to your answers.

Mr. HARRIS. I was not attempting to cut off questions at this point. I am simply pointing out if there are specific questions of a statistical nature we will try to provide answers.

Mr. STEIGER. The Chair and I both agree if you provide us with the additional information on those States that either prohibit or in some other way make it more difficult for bilingual education, that information would be useful.

[The information referred to follows:]

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DIRECTORY OF STATE PARTICIPATION IN BILINGUAL-BICULTURAL EDUCATION, OCTOBER 1973

A study prepared for the National Bilingual-Bicultural Institute "A Relook at Tucson '66 and Beyond", November 28–December 1, 1973 cosponsored by the National Education Association and the National Education Task Force de la Raza. Prepared by Abe and Emma Armendariz-Ford Leadership Program under the auspices of the Office of Spanish Speaking American Affairs, Washington D.C.

Updated and reprinted with permission from mentioned sponsors for the Michigan State Bilingual Followup Conference—February 1–2, 1974, East Lansing, Michigan.

State and telephone	Director, bilingual education	Source of information	State laws on bilingual education		State laws on file	State department policy on bilingual education	Other programs involving bilingual students	State prohibits use of language other than English for instruction		Amount implemented for bilingual education
			Yes	No				Yes	No	
Alabama 205–269–7504.	None	Joanna Crane		X		None	None		X	None.
Alaska 907–274–1645.	Ms. Tupu Tulo	James A. Henry		X		do.			X	Title VII, $100,000; State, $700,000.
Arizona 602–271–5277.	Henry Arredondo	Same	X		Yes	Yes—on file			X	State, $400,000; ESAA Title VII, $250,000; ESEA Title VII, $983,150.
Arkansas 501–371–1803.	None	C. E. Morris		X		None	None		X	None.
California 916–445–2872.	Dr. Gilbert Martinez	Same and John Dusel.	X		Assembly bill No. 2284.	Yes			X	State, $6,000,000; Title VII, $10,500,000.
Colorado 303–892–2271.	Bernard Martinez	Same		X	Failed 1973 to be introduced 1974.	Yes			X	Title VII, $900,000; Title III; Title I; local funds (amounts not available).
Connecticut 203–566–4424.	Dr. Kenneth Lester	do	X		Yes—No. 6415 permits it No. 9013 funding.	No			X	Title I; State act for disadvantaged children (amount not available); Title VII.
Delaware 302–678–4629.	None	Dr. Haggerty		X		No	Title I—migrant summer programs one district has bilingual teachers.	X		None.
District of Columbia 202–387–8885.	Marcelo Fernandez	Same		X		No			X	ESAA, $109,000; EPDA, $82,000; 4 administrative positions $50,000; 19 teachers' salaries $225,000.
Florida 904–488–8795.	Mr. Perea	do		X		No	Migrant programs		X	None.
Georgia 404–656–2436.	None	Dr. Claude Ivy		X		No			X	None.
Hawaii										

DIRECTORY OF STATE PARTICIPATION IN BILINGUAL-BICULTURAL EDUCATION, OCTOBER 1973—Continued

State and telephone	Director, bilingual education	Source of information	State laws on bilingual education		State laws on file	State department policy on bilingual education	Other programs involving bilingual students	State prohibits use of language other than English for instruction		Amount implemented for bilingual education
			Yes	No				Yes	No	
Idaho 208-384-2195	None	D. L. Hicks		×		No	Migrant education $850,000.		×	Title VII; sophisticated education concept, $275,000.
Illinois 312-793-3850.	H. Ned Seeley	Same	×		H.B. 1223	Yes			×	Title VII, $600,000; State, $6,000,000.
Indiana 317-633-4436.	Dr. Carlos de la Garza; Mr. Marty Martinez.	Dr. Charles Ashmore.	×			Yes			×	Will mail.
Iowa 515-281-5609.	None	Dr. Donald Cox		×		No	Title I—$90,000 migrant.	×		None.
Kansas 913-296-3161.	do	Kenneth Gentry	×			No			×	Do.
Kentucky 502-564-3010.	do	Wilber Smith		×		No	Migrant—$80,000		×	Do.
Louisiana 504-389-2591.	do	Mrs. Stewart	×		Yes	Yes			×	State: fiscal year 1973, $500,000; fiscal year 1974, $1,000,000; ESEA Title VII, $546,930; ESAA, $451,310.
Maine 207-289-3541.	do	Ed Booth	×		Yes, No. 165	No			×	Federal, $341,163.
Maryland 301-383-3773.	Miss Ann Beusch	James A. Sensenbaugh.		×		No			×	None.
Massachusetts 617-727-5745.		Ernest Mazzone	×		Yes, No. 1619	Yes			×	Not available until December.
Michigan 517-373-0160.	Jesse Soriano, Coordinator.	Same		×	Yes	Yes, on file			×	Title VII, $500,000.
Minnesota 612-296-2181.	None	Jack Hanson, Anne St. Pierre.		×	Yes	No	Migrant, $40,000	×		None, Title VII, $40,000.
Mississippi 601-354-6938.	do	John O. Eheredge		×		No			×	None.
Missouri 314-715-3526.	do	John Lawrence		×		No			×	Do.
Montana 406-449-3095.	do	Duane Jackson		×		No	Migrant, Title III		×	Title VII, $379,259.
Nebraska 402-471-2476.	do	Mel Nielson		×		No			×	None.
Nevada 702-882-7184.	do	Edward H. Howard	×		No	No	Title I (indirect) ESL (Adult) (indirect).		×	Do.

New Hampshire 603-271-2717.	Robert Fournier, State consultant, foreign languages.	Mary Trider	X		Yes	No			X	Consultants salary.
New Jersey 609-292-3773.	Diego Castellanos	Same		X		Yes, S-421	Title I (individual schools).		X	Title VII, $919,374.
New Mexico 505-827-2683.	Henry Pascual	Director's section	X		Yes	Yes			X	State, $270,000; ESAA, $154,650; Title VII, $1,132,021.
New York 518-574-8076.	Carlos Perez	Same	X		Yes	Yes, on file			X	Title I, $8,000,000-$10,000,000; Title II, small amount; Title III, $500,000; Title VII, $4,500,000; State urban, $3,000,000; State aid, $1,500,000; tax levy, $7,000,000.
North Carolina 919-829-3703.	None	Tora Ladue		X		No		X		None.
North Dakota 701-224-2289.	do	Sam R. Lacker		X		No	Title I, summer migrant.		X	Do.
Ohio 614-466-8904.	Racheal Dennison, consultant.	Same		X	Pending H.B. No. 715.	No			X	Do.
Oklahoma 405-521-3301.	None	Earl Cross		X					X	Title VII, $465, 780
Oregon 503-378-3573.	Gilbert Anzaldua	Same								
Pennsylvania 717-787-7098.	Committee	David T. Chesnut		X	Only State wth mandate from Secretary of Education to provide for bilingual education.	Yes			X	Title VII, $580,000.
Rhode Island 401-277-2681.	None	Gerry W. Leonard				No		X[1]		ESEA (amount not available); Federal, $440,000; State, fiscal year 1974, $100,000.
South Carolina 803-758-1550.	do	Sidney Cooper		X			Title I, migrant summer programs, $592,000.		X	None.
South Dakota 605-224-3426.	do	Norris Paulson		X	Yes	Yes			X	Do.
Tennessee 615-741-2722.	do	John Gaines		X		No			X	Do.

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[1] Disregarded.

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DIRECTORY OF STATE PARTICIPATION IN BILINGUAL BICULTURAL EDUCATION, OCTOBER 1973—Continued

State and telephone	Director, bilingual education	Source of information	State laws on bilingual education		State laws on file	State department policy on bilingual education	Other programs involving bilingual students	State prohibits use of language other than English for instruction		Amount implemented for bilingual education
			Yes	No				Yes	No	
Texas 512-475-3651.	Dr. Severo Gomez, Assistant Commissioner of Education; Arturo L. Gutierrez, Director Special Programs.	A. L. Gutierrez	X		Yes, H.B. No. 121	Yes			X	State, $2,700,000; Title VII $2,000,000; ESSA, $1,000,000.
Utah 801 328-5061.	Dr. Elliott Howe, Director Title I and bilingual education.	Same	X		No	Yes, on file			X	State, $450,000.
Vermont 802-828-3124.	None	Gerard Asselin		X		No			X	Title I, $5,000; Title VII.
Virginia 804-770-3179.	do	Willie H. McCann		X		No	Migrant summer		X	None.
Washington 206-753-3760.	do	Keith Crosby		X	Yes	Guidelines			X	State, $500,000; Title VII, $150,000.
West Virginia 304-348-2705.	do	Helen Saunders		X	To be introduced in 1974 session.	No		X		None.
Wisconsin 608-266-3079.	do	Frank Grittner	X		Yes, new bill introduced, No. 747.	Yes			X	Title VII, $271,000; Title I $96,000.
Wyoming 307-777-7621.	do	Paul Soumokil		X		No			X	None.

Grant awards, fiscal year 1973

Alaska	[1] $170, 170	New Jersey	[1] $819, 866
Arizona	983, 150	New Mexico	[1] 1, 352, 509
California	[1] 8, 609, 009	New York	[1] 4, 422, 939
Colorado	[1] 940, 023	Ohio	[1] 120, 771
Connecticut	[1] 405, 750	Oklahoma	[1] 458, 344
Florida	[1] 960, 293	Oregon	125, 640
Guam	189, 528	Pennsylvania	[1] 675, 275
Idaho	[1] 75, 276	Rhode Island	[1] 241, 098
Illinois	[1] 570, 738	Puerto Rico	85, 000
Indiana	247, 987	South Dakota	[1] 130, 577
Louisiana	[1] 543, 000	Texas	[1] 6, 110, 386
Maine	[1] 334, 368	Trust territory	75, 305
Massachusetts	790, 579	Utah	[1] 117, 832
Michigan	[1] 458, 177	Virgin Islands	115, 000
Montana	[1] 354, 031	Washington	[1] 301, 347
New Hampshire	158, 500	Wisconsin	[1] 158, 913

[1] There are discrepancies between amounts listed here for grants and those reported by some States as Title VII funds implemented for bilingual education.

Source: Title VII—Bilingual Education Office.

Mr. STEIGER. Can you give us, if possible, an analysis of which of the States is doing the best job for bilingual education, both educationally and naturally?

Mr. HARRIS. Yes. I think Mr. Villarreal mentioned that partially when he pointed out the States that had the most extensive programs, and might again if you would like.

Mr. VILLARREAL. In the addenda, there are 14 States that do provide bilingual education appropriation. The State of Illinois is supposed to have the most money for bilingual education. Of course, they have not implemented their plan which they are in the process of doing.

In terms of answering your question, what State is doing the most monetarily as well as in the implementation of bilingual education, I can not answer that question at this point because statistics are not available.

Mr. STEIGER. One last question, Mr. Harris, if I can.

How do you propose that there be increased numbers of the minority and bilingual teachers in the period of declining enrollments in school systems generally?

Mr. HARRIS. I would like to say as a preface to my remarks, I heard the statement, "teacher surplus" used a number of times. The NEA does not subscribe to the concept at all that there is a teacher surplus. There is an underutilization of teachers which results in unemployed teachers. This situation many people erroneously call a teacher surplus. If teachers were hired that would bring class sizes to ratios acceptable to those organizations that attempt to determine ideal class sizes, we are in need of a good many thousand teachers in addition to those that are currently employed.

There are approximately 400,000 unemployed teachers in the United States. Yet to bring class sizes to acceptable levels and would need about 700,000 teachers. Twenty thousand teachers are needed just to provide kindergartens where no kindergartens are available. All types of teachers are needed for vocational training and special training.

So the idea that additional teachers be employed to do specific jobs is not out of the question. It is not in conflict with today's need to realistically staff a school.

There are times when I think we give the impression that unsatisfactory staffing patterns are acceptable, and that teachers and organizations such as ours ought to be content with this, and stop talking about class sizes. In fact in the best solution approximately 20 percent of the students are failing to have an adequate school experience and not graduating from high school.

We think that the class size is certainly one of the factors involved. Approximately 40 percent of Spanish-speaking children are having a failure school-experience. By failing experience I mean they become dropouts before they actually graduate from high school. A recent survey suggested that there are nearly 2 million school-aged children on the streets. If we allow ourselves to believe that staffing patterns and other kinds of things that we are doing for schools are adequate at the level that we apparently are operating, I think this would be a tremendous mistake.

Mr. Steiger. I appreciate very much your testimony, and your answer to that last question.

Thank you.

Thank you, Mr. Chairman.

Mr. Badillo. Just one question.

The U.S. Civil Rights Commission does indicate that of the 5 million children with English language difficulty in our schools, approximately 1.5 million of these youngsters are Mexican-American and particularly concentrated in the southwestern States of Colorado, New Mexico, Arizona, Texas, and Colorado, and that in that southwest part of the country we only have approximately 350,000 teachers. Approximately 350,000 teachers, that is some 4 percent are Spanish-speaking teachers, and as just mentioned, 40 percent of the Mexican-American students drop out of school before they finish high school.

In light of all of these statistics, and recognizing that there tends to be a heavy concentration of Mexican-Americans in that particular section of our country, what has been the position of the National Education Association to those who have tried to be responsive for educating these youngsters, because it seems to me that over a period of time it is bound to have an effect on the economic life of the community. What about the State bureau of education and the local educational agencies? Is there a connection between inability to handle the English language in a society that requires the use of language?

It is hard for me to understand how in a section of the country where you have such a large number of Mexican-American children that less than 3 or 4 percent of the entire teaching staff are Mexican-Americans. Could you give us some thought on that?

Mr. Harris. Yes. I would want to broaden your statement to include bicultural education as well as the bilingual. Sometimes people have a tendency to think that we are simply viewing speaking two languages as a nice thing to have happen without recognizing the desperate need and the kinds of differences it can make in a child's life.

If you would allow me, I would like to take just a minute to give an illustration of what took place in my own family, because I see it as a bicultural kind of conflict. I was raised in Des Moines where there are a limited number of black people, and for my children to have the kinds of experiences that black people are demanding, which is really a bicultural experience, it never occurred to me what was really taking place in their life until it came time for the older son to graduate from school and we started looking for a college.

I thought since he had not had an experience with the black people I started searching for such a school. One day he expressed to me the fact that he would be afraid to go to school with a predominant number of black students, and I realized for the first time that the school caused him to have the same fear the majority group possessed, but in his case it was even more damaging because he feared his own people. I thought that was tragic.

Until this day he still has not been able to make that kind of relationship.

Now it is not that they are dump students, and they didn't have a language problem. They had a cultural problem. The school was not able to deal with it.

So when we think in terms of the 4 percent of the teachers that are actually capable of providing the bicultural experience that these students desperately need, we have to view the child's education as a real thing and not just a superficial thing that can be used in playing with numbers and counting dollars and cents.

A study by Mr. Roben of Stanton University pointed out the fact that when dollars are properly invested in education, it yields about $6 to national and State trade for every dollar invested. So from a pure dollars and cents point what we are talking about makes sense. We are really concerned about the fears kids have and to every right to which they are entitled in this Nation.

So the point of my comments is, that we can't lose sight of the bicultural aspect of what is being discussed today.

Mrs. CHISHOLM. Thank you.

Mr. BADILLO. Thank you very much.

Thank you.

The last witness is Dr. Edmund J. Gleazer, Jr., president of the American Association of Community and Junior Colleges.

STATEMENT OF DR. EDMUND J. GLEAZER, JR., PRESIDENT, AMERICAN ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES, ACCOMPANIED BY J. PEPE BARRON, DIRECTOR, SPANISH-SPEAKING FOMENTO

Dr. GLEAZER. Mr. Chairman, members of the subcommittee, it is my privilege to apear this morning with my colleague Pepe Barron to present some of the concerns of AACJC in regard to bilingual education.

In the past few years, some progress has been made in bilingual education for the purpose of providing meaningful and practical education to all Americans, regardless of national origin and language background. However, the Americans Association of Community and Junior Colleges strongly recommends the development of an effective policy which would meet the needs of all non-English-speaking students at all levels of education. Not only do we detect a lack of a clearly defined administration policy ~~on the~~ subject but its lack of interest is evident in the proposed reduction in appropriations for bilingual education on the ground that the hard-pressed State and local education agencies should meet the need.

We would like to see national policy developed which would (1) meet the demonstrated educational needs of the thousands of children, youth, and adults whose mother tongue is other than English; (2) address the challenge of Federal court activity in the area of civil rights, the most notable recent instances being the *Lau* v. *Nichols* decision of the Supreme Court; and (3) consider means by which the educational professionals needed to provide effective education for bilingual students can be provided.

The association has good reason to be concerned with the issue of bilingual education in view of the large numbers of youth and adults in our junior and community colleges who come from bilingual backgrounds and from non-English-speaking environments. For example, more than 70 percent of the Spanish-speaking persons enrolled in postsecondary institutions in the United States attend community and junior colleges. Partly because of the disproportionate number of lower income people in minority groups, a high proportion of these minorities attend our colleges.

Many of these students have linguistic deficiencies in English, resulting from the absence of sound bilingual education programs prior to their enrollment in higher education. This situation obviously places a heavy strain on our colleges to provide appropriate bilingual programs for which we have inadequate resources. The two-fold condition of the lack of elementary, and especially secondary bilingual education, and of the lack of resources to institute bilingual education programs in our colleges places us in a situation where we in effect deny equal access to many capable, intelligent, and talented youth and adults.

I am aware of the time constraints and I have summarized my summary.

In my full statement I have provided the committee with considerable information on the postsecondary educational experiences of Mexican Americans in the Southwestern United States. Much of the data is taken from the study, "Access to College for Mexican-Americans in the Southwest, undertaken by the College Entrance Examination Board in 1972.

This report and supplementary data clearly show that Mexican-American access to postsecondary education is far below the national average. Consider these figures, for example:

—Of every 100 Mexican Americans entering grade 1, 23 will enter college and 5 will complete college;

—Of the 70,000 Spanish-speaking students who entered college in 1971, 82 percent dropped out in the first year, and less than 5 percent will graduate from college;

—In colleges and universities in the Southwest there are only some 1,500 full-time Mexican-American faculty members, and only 600 administrators. Thus, while the normal student-faculty ratio in colleges in 20 to 1, for Mexican Americans the ratio is almost 100 to 1.

These figures point up dramatically that our educational delivery mechanisms for dealing with other cultural-linguistic groups are simply inadequate at this time. Accordingly, our major and priority needs are the development of sound bilingual education services along with the development of vital staff and faculty capabilities.

THE NEED FOR MANPOWER DEVELOPMENT IN THE PROFESSIONS

Virtually every educator who has looked into this matter in depth has concluded on a vein similar to that expressed by Dr. Alfredo de los Santos, Jr., president of El Paso Community College: "* * * the problem is directly related to the lack of Chicano administrators, faculty, counselors, and other staff working for the institutions." This is published in "Staffing to Meet the Needs of Spanish-Speaking Students." This is the report of 1972 which has been supplied to each member of the committtee.

Incidentally, we wish to extend appreciation to Congressman Lehman for putting the Assembly statement in the Congressional Record.

The longer statement reviews the two major kinds of needs in manpower training for bilingual education. First is that just quoted from Dr. de los Santos: the need for a greater number of Chicanos trained for teaching and administration. Second is the need for better training for all persons who will work in bilingual programs or with bilingual students.

Some training programs now exist which can serve as examples of how institutions can effectively respond to both higher education and elementary/secondary level education professions and curriculum development needs. Two very noteworthy programs can be found in the Bilingual Teacher and Teacher Training Institute at New Mexico Highlands University and the Bilingual Education Program at Pima Community College.

Both the Office of Education and congressional committees have noted the lack of adequately prepared teachers for bilingual programs and students. The problem is one of lack of resources, and we would maintain that Federal help is very much needed to provide these resources.

In conclusion, Mr. Chairman, I hope that my remarks have given ample justification for our concern with bilingual education at all levels. While our major responsibility is the students who attend community and junior colleges, we recognize that our students would be better prepared if they had stronger early educational experiences. I would like to mention two specific appropriations actions which would help to accomplish our goals.

First, the Bilingual Education Act—title VII, ESEA—should be fully funded and we see no justification for the reduction proposed in the President's budget. I hope you will agree that bilingual education is at the present time properly a national responsibility, at least until such time as programs are effectively established where they are needed and the budgets of educational institutions and agencies are sufficient to meet the continuation costs.

Therefore, I would urge the Congress to continue funding at least at the 1974 level. The 1974 appropriation was $50 million; adding a 10 percent inflation factor, $55 million would be required to carry on at that level.

Second, I have strongly emphasized in my remarks the need for the development of bilingual educational personnel. The need for persons trained and experienced in teaching and counseling postsecondary level bilinqual students is as great as is the need for such persons at the elementary and secondary levels. However, this need cannot be met through the Bilingual Education Act.

Therefore, I deplore the fact that the Education Professions Development Act is being dismantled. Particularly, Part E, for the training of higher education personnel, has provided funds for the training of persons to work with the "new" students in community colleges as well as other institutions. The program at Pima Community College was mentioned in my formal statement. It is important to bear in mind that the Institutes and Short-Term Training Program authorized by part E of EPDA do not add to the supply of teachers. Rather, these programs offer in-service training to make existing teachers more effective in their work.

These funds have been applied for training of bilingual teachers and teachers of other minority groups. This is a need which is still very much with us. Not funded at all in 1974, the program had an appropriation of $5.8 million in 1973. I strongly urge the Congress to resurrect this program and provide at least $5.8 million for it in 1975. The book you have received, "New Staff for New Students," will give you added insights into the need for EPDA funds.

I do thank you very much for your time and consideration.

[Dr. Gleazer's statement follows:]

STATEMENT BY DR. EDMUND J. GLEAZER, JR., PRESIDENT, AMERICAN ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES

Mr. Chairman and Members of the Subcommittee: It is my privilege to appear this morning with my colleague Pepe Barron, to present some of the concerns of AACJC in regard to bilingual education.

INTRODUCTION

In the past few years, some progress has been made in bilingual education for the purpose of providing meaeningful and practical education to all Americans, regardless of national origin and language background. However, the American Association of Community and Junior Colleges strongly recommends the development of an effective policy which would meet the needs of all non-English speaking students, at all levels of education. Not only do we detect a lack of a clearly defined Administration policy on the subject, but its lack of interest is evident in the proposed reduction in appropriations for bilingual education, on the ground that the hard-pressed state and local education agencies should meet the need.

We would like to see national policy developed which would (1) meet the demonstrated educational needs of the thousands of children, youth, and adults whose mother tongue is other than English; (2) address the challenge of Federal court activity in the area of civil rights, the most notable recent instance being the Lau v Nichols decision of the Supreme Court; and (3) consider means by which the educational professionals needed to provide effective education for bilingual students can be provided.

The Association has good reason to be concerned with the issue of bilingual education in view of the large numbers of youths and adults in our junior and community colleges who come from bilingual backgrounds and from non-English-speaking environments. For example, more than 70% of the Spanish-speaking persons enrolled in postsecondary institutions in the United States attend community and junior colleges. Partly because of the disproportionate number of lower income people in minority groups, a high proportion of these minorities attend our colleges. Many of these students have linguistic deficiencies in English, resulting from the absence of sound bilingual education programs prior to their enrollment in higher education. This situation obviously places a heavy strain on our colleges to provide appropriate bilingual programs for which we have inadequate resources. The two-fold condition of the lack of elementary, and especially secondary bilingual education; *and* of the lack of resources to institute bilingual education programs in our college—places us in a situation where we in effect deny equal access to many capable, intelligent, and talented youth and adults.

We are distressed over the lack of authorizations and appropriations which would help remedy this unjust situation. The lack of funds for research, planning, development, technical assistance, professional development, and programs operations in the area of bilingual education, for both secondary education and college levels indicates a genuine crisis for our educational system. If the Federal government is committed to equal access for all, then it must develop a policy which reflects its stated goals and its commitment in more than words. Equal access to quality education will *not* be available without appropriate funds. Nor can quality education become increasingly more available without policies and funds for the professional development of instructors, counselors, librarians, administrators, and other necessary staff.

In expressing our support for bilingual education, we take due note of the fact that various government estimates hold that there are two to five million *children* who may need some form of bilingual education. There are, of course, millions of young adults, who are beyond high school age, and who are in need of such an education if they are to develop their skills and capabilities and have equal access to job opportunities.

MEXICAN-AMERICANS IN THE SOUTHWEST: AN ILLUSTRATION

The educational condition of the Mexican-Americans in the Southwest provides us with a succinct illustration of the problems facing a national-origin minority. Their condition is similar to that of many other minority groups. For the sake of brevity I will not detail the plight of Mexican-American children. Ample information is available to you on this matter through the various reports of the U.S. Civil Rights Commission.

My objective here is to bring to your attention some facts bearing on the bilingual education needs of this Nation, from another perspective. Much of my data is taken from the study, *Access to College for Mexican-Americans in the Southwest* undertaken by the College Entrance Examination Board in 1972. (See Higher Education Surveys, Report No. 6, CEEB, July, 1972.) Other data have been compiled by staff of the American Association of Community and Junior Colleges from internal data. In particular, I want to acknowledge the assistance of El Congreso Nacional de Asuntos Colegiales.

During 1971 over 70,000 Spanish speaking students entered college in the *Southwest* as freshmen (p. 20). Of these, 82% dropped out in the first year, and less than 5% of these students will graduate from college. Of every 100 Mexican-Americans entering grade 1, 23 will enter college and 5 will complete college. Among English-sepaking students, the corresponding figures are 49% entering college and 24% completing college. *Nationally*, only 2% of those Spanish-speaking entering college will actually graduate.

Some 140,000 Mexican-Americans were enrolled in Southwestern colleges in the Fall of 1971. In order to secure a proportional representation for Spanish speaking persons in higher education CEEB estimates that Mexican-American enrollment would have to have been increased by another 100,000, or 70% in that year (p. 8).

Between 1970 and 1971, however, enrollment increased only by 14%. 90% of these students enrolled in public institutions.

The CEEB report noted that there were only some 1500 full-time Mexican-American faculty members in colleges and universities in the Southwest. Although a ratio of approximately 20:1 is generally accepted as a typical student faculty ratio in higher education, "the Mexican-American student faculty ratio does not approach that proportion. Taking all institutions together the ratio is almost 100:1." (p. 15). Similarly, there are only 600 Mexican-American administrators (financial aid officers, counselors, student service professionals and the like). The ratio here is something like 250:1. Only "one Southwestern college in three has at least one Mexican-American in some student personnel office" (p. 15).

What these few statistics poignantly indicate is that our Mexican-American students are confronted by more problems; our Mexican-American faculty and staff are confronted by more work; and our colleges are facing major crises in providing adequate and appropriate responses to student needs. The victims of this condition are the students, and this is graphically indicated by the high drop-out and low college completion rates. Our educational delivery *mechanisms for* deealing with other cultural-linguistic groups are simply inadequate at this state. Accordingly, our major and priority needs are the development of sound bilingual education services, along with the development of vital staff and faculty capabilities.

THE NEED FOR MANPOWER DEVELOPMENT IN THE PROFESSIONS

Virtually every educator who has looked into this matter in depth, has concluded on a vein similar to that expressed by Dr. Alfredo G. de Santos Jr., President of El Paso Community College: " . . . the problem is directly related to the lack of Chicano administrators, faculty, counselors, and other staff working for the institutions." (See p. 95 by Dr. de los Santos, "Staffing to meet the Needs of Spanish-Speaking Students," in *Educational Opportunity for All: New Staff for New Students.* Report of the 1973 Assembly of the American Association of Community and Junior Colleges attached). In his testimony before the Senate Subcommittee on Education last October 31, 1973 Dr. Cecilio Orozco, Director of the Bilingual Teacher and Teacher Training Institute, of the New Mexico Highlands University, arrived at the same general conclusion, adding that "I believe that the most economical bilingual teacher training, as well as the most effective is one that utilizes the resources of the cultures for which the teacher is preparing." He continued thus: "In the case of the minority groups, of which we find up to 70% in community and junior colleges, *these* institutions should play a strong role in the guidance and training work that will produce the teachers. These institutions have demonstrated commitment to these groups as well as flexibility to accommodate them. 'Sister' four-year institutions should then continue and finish training culminating in a B.A. in Bilingual Education at the different levels."

I might note here that Dr. Orozco's Bilingual Teacher and Teacher Training Institute is one of a very few institutions of higher education that is specifically devoted to producing educational professionals and paraprofessionals capable of developing and teaching in bilingual education programs. In this regard I will also note the extensive Bilingual Education Program at Pima Community College, funded through the Education Professions Development Act. This entire junior college program and curriculum is bilingual and bicultural and has already demonstrated its capability of meeting vital professional development needs on a large scale.

These two illustrations are presented as exemplary indications of the availability of institutions which can effectively respond to *both* higher education *and* elementary/secondary level education professions and curriculum development needs. A number of our community colleges are capable and prepared to participate meaningfully and effectively in the development and implementation of a sound national bilingual education policy. Such a policy must address itself to both the needs of the *students in our colleges* in order that they may assist in our institutional endeavor, as well as attain individual goals; *and*, secondly, the needs of the millions of children, and adults, whose lack of a bilingual competence continuously, and unnecessarily, robs them of opportunities and rights. With respect to professional needs of the bilingual education programs for children under Title VII we note a report of the Senate Subcommittee on Education of this year, in which "the Committee has found one of the greatest failures of the present bilingual education program to be the lack of adequate teacher preparation."[*] The report notes that the Office of Education has itself "found extensive incidence of inadequately prepared teachers."

SUMMARY

We have dwelled heavily on the issue of professions development. This does not mean, as indicated in my first few comments, that we are not concerned about other factors which have recently come forth. We are quite aware of the

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[*] Testimony by Dr. Cecilio Orozeo before the Senate Subcommittee on Education, October 31, 1973.

January 21, 1974 *Lau v Nichols* decision, yet we caution against any overexhiliration, because the Supreme Court has left the matter open entirely to interpretations under Title VI of the Civil Rights Act. Publicly-stated policies, including fiscal policies, by the Office of Education are not encouraging for either the funding of bilingual education programs *or* the establishment of a civil rights enforcement in line with existing regulations or court decisions. Nor can we be particularly pleased with the proposed massive slashes in the Education Professions Development Act, the minimal increase in funds for Career Education, the cutbacks in funds for libraries, and other fiscal policies which merely add to the difficulties of providing meaningful bilingual education. Similarly, we are somewhat amazed at the hesitation on part of the Office of Education to actively involve those institutions in the development of local bilingual education capacities, which have the highest bilingual education potential. We hope that in revising the Title VII ESEA provisions, explicit steps will be taken to allow for a more active involvement of community and junior colleges in conjunction with local education agencies, in the development and operation of bilingual programs, and that funds will be available to our colleges to facilitate such involvement. Similarly, we hope that proper authority will be available for necessary inservice training for bilingual education personnel.

The American Association of Community and Junior Colleges believes that a major breakthrough in the area of bilingual bicultural education is vital to the many national-origin minority groups, as well as to the American educational system, both college and pre-college. The continuation of the present unilingual-unicultural policy does not lend itself to the resolution of major problems facing so many of our communities in this Nation. The problem is a national one, in need of national direction and support. In this context, nothing less than the maximum feasible expansion of Title VII can do justice ot the children's needs. The long-neglected civil rights of many national origin minorities is at a near crisis. The needs of education agencies (local and state) and other institutions of education, including community colleges, who together bear the brunt of the current situation, require the continuation and expansion of Federal support.

CONCLUSION

Mr. Chairman, I hope that my remarks have given ample justification for our concern with bilingual education at all levels. While our major responsibility is the students who attend community and junior colleges, we recognize that our students would be better prepared if they had stronger early educational experiences. I would like to mention two specific appropriations actions which would help to accomplish our goals.

First, the Bilingual Education Act (Title VII, ESEA) should be fully funded and we see no justification for the reduction proposed in the President's budget. I hope you will agree that bilingual education is at the present time properly a national responsibility, at least until such time as programs are effectively established where they are needed and the budgets of educational institutions and agencies are sufficient to meet the continuation costs.

Threfore I would urge the Congress to continue funding at least at the 1974 level. The 1974 appropriation was 50 million; adding a 10% inflation factor, *$55 million* would be required to carry on at that level.

Second, I have strongly emphasized in my remarks the need for the development of educational personnel. The need for persons trained and experienced in teaching and counseling postsecondary level bilingual students is as great as is the need for such persons at the elementary and secondary levels. However, this need cannot be met through the Bilingual Education Act.

Therefore, I deplore the fact that the Educational Professions Development Act is being dismantled. Particularly, *Part E*, for the training of higher education personnel, has provided funds for the training of persons to work with the "new" students in community colleges as well as other institutions. The program at Pima Community College was mentioned earlier in my statement. It is important to bear in mind that the Institutes and Short-Term Training Programs authorized by Part E of EPDA do *not* add to the supply of teachers. Rather, These programs offer in-service training to make existing teachers more effective in their work. These funds have been applied for training of bilingual teachers and teachers of other minority groups. This is a need which is still very much with us. Not funded at all in 1974, the program had an appropriation of $5.8

million in 1973. I strongly urge the Congress to resurrect this program and provide *at least $5.8 million for it in 1975.* The book you have received, "New Staff for New Students" will give you added insights into the need for EPDA funds.

Thank you for your time and consideration.

Mr. Badillo. Thank you.

Mr. Steiger.

Mr. Steiger. I am intrigued by the plea that you make for EPDA. We have been told in the testimony throughout these hearings of the real need for bilingual/bicultural teachers. I am not clear at all how short-term in-service training for existing teachers who are not bilingual and who are not bicultural is of any help at all.

Dr. Gleazer. May I have my colleague Pepe Barron respond.

Mr. Barron. What we are saying, sir, is that the need is so critical, and due to the fact that the community colleges serve the greatest number of Spanish-speaking throughout the country we did have teachers that are now students in institutions, yet having Spanish-speaking teachers does not mean that they are now ready and adequately prepared to teach bilingual/bicultural programs. This is what we are talking about. Those institutes will provide the mechanism to better prepare the teachers.

Mr. Steiger. I appreciate your answer but I am not persuaded. I will tell you very honestly, as to whether or not the parts of the Education Professional Development Act serve that purpose well.

Thank you not only for coming here but you willingness to summarize your summary; you did it very well.

Dr. Gleazer. Thank you, Mr. Congressman.

Mr. Badillo. Mrs. Chisholm.

Mrs. Chisholm. Thank you.

I just mention the figure $55 million, and correct me if I misinterpret it. I think you said that you would like to see a figure of at least $55 million in the appropriations and I was wondering about that figure because we only had $35 million appropriated in fiscal year 1973 for some 204 projects just catering to the needs of 110,000 youngsters with English-speaking difficulties and yet we have about $1.5 million for the American children with these difficulties. How could you arrive at the figure of $55 million?

Dr. Gleazer. Again I would like to have Mr. Barron reply.

Mr. Barron. All of us know that this figure is indeed very inadequate, it is not what we need in order to meet the needs of bilingual children at all. It was because we have not been considered. We have been secondary in this country so far and we would like to see the adequate amounts of money in order to begin to provide what we feel is the responsibility of the Government, the responsibility of this country.

We must remember also the very recent visit that Dr. Kissinger made to Mexico City and we must realize the need to articulate in different languages, and in his case Spanish. We also must understand that the setback that he suffered was simply because of his inadequacy in the Spanish language.

Mrs. Chisholm. Thank you.

Mr. Badillo. Thank you very much for your testimony.

Without objection, the meeting is adjourned.

[Whereupon, at 12:08 p.m., the hearing adjourned.]

BILINGUAL EDUCATION ACT

WEDNESDAY, MARCH 27, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
Washington, D.C.

The subcommittee met at 9:30 a.m., pursuant to call, in room 2175, Rayburn House Office Building, Hon. Shirley Chisholm presiding.

Present: Representatives Meeds, Chisholm, Badillo, Bell, Quie, and Benitez.

Staff members present: Jack Jennings, subcommittee counsel; Eydie Gaskins, special assistant; and Christopher T. Cross, minority legislative associate.

Mrs. Chisholm. The General Subcommittee on Education hearings pertaining to bilingual education will commence.

We have a few minor difficulties. We hope that they will be resolved during the course of these hearings. However, it is most important that all of the witnesses speak loudly and clearly, because our console is not working and we want to make sure everything goes on the record.

At this point we would like to enter into the record the statement of the Honorable Edward R. Roybal, Member of Congress, who will not be able to testify in person this morning, but desires to have his statement entered in the permanent record.

Mr. Bell. For the record, Madam Chairperson, I would like to say we all know of the excellent work of Congressman Roybal among Spanish-speaking people—the excellent work he has done in the Spanish community and for the State of California in this field.

Mrs. Chisholm. Thank you very much. The statement will be entered in the record.

[Statement referred to follows:]

Statement of Hon. Edward R. Roybal, a Representative in Congress From the State of California

I am pleased to be here today to share with you my concerns about this nation's commitment to bilingual education. I believe that these hearings can serve as a catalyst in renewing our efforts to develop the talents of the bilinqual and bicultural child.

The enactment of the Bilingual Education Act in 1968 marked an important beginning, but it was only the first step toward cultural awareness and equal education. With the advantage of hindsight, we can see how slow and painful the process of change has been. Today we are still confronted by the lack of adequate funding for bilingual programs.

As one of the co-authors of this Act, I have worked to correct this inequity. Last year the administration proposed only $35 million for Title VII bilinqual programs which the House Appropriation Committee increased to $45 million.

During debate on the Labor-HEW bill for fiscal 1974; I offered an amendment to raise bilingual funding to $60 million. Although the amendment lost on the House side, we were able to increase its budget to $50.3 million in the Labor-HEW conference report.

But even this increased effort failed to reach a significant portion of children who should be served. With an estimated 5 million children in need of this program, only 143,000 were reached during fiscal 1974, representing at the most 3 percent of the total eligible population.

Given this opportunity gap, we should be extremely cautious of any proposed cutbacks. The fiscal 1975 budget calls for a $15.35 million cutback in Title VII projects, and a drop in number of children served. Some may argue that this slash is softened somewhat by the $9.7 million outlay of fiscal 1973 impounded funds. This type of argument is an example of doublethink applied to the budget process. As a result of this impoundment an estimated 30,000 eligible children were not served during fiscal 1973. Even if we add this money it would still mean a severe cutback for Title VII projects for fiscal 1975.

In the case of the Emergency School Aid program, the proposed budget recommends a dismantling of ESAA, with no assurance that bilingual funds will be included in new legislation promised by the administration. Without this guarantee as much as $10 million a year in bilingual funding may be lost $(9.1 million for fiscal 1973 and $9.9 million for fiscal 1974).

To put the proposed cutbacks in perspective, let us compare the fiscal 1975 budget with this year's spending. For fiscal 1974 Congress appropriated $60.3 million for both Title VII and ESAA bilinqual projects; but for fiscal 1975 the administration recommends only $35 million, representing a 42 percent cutback. This $25.3 million slash contradicts an internal OE recommendation for Title VII projects alone of $60 million for fiscal 1975 and $80 million for 1976.

Now we are being asked to ignore recent findings by the U.S. Civil Rights Commission, about the educational neglect of Mexican American children and the exclusion of this minority group from school decision making. In my own state of California, it is estimated that the ratio of Spanish speaking students to teachers is 152 to 1, while for Anglos the ratio is 20 to 1. Further, according to a 1972 survey by the Los Angeles Unified School District, there are only 3.0 percent Spanish surnamed school staff serving nearly 24 percent Latino students at the elementary and secondary levels. Clearly these figures indicate an institutional failure to meet bilingual educational needs. It would seem to me that similar findings apply to other children facing language barriers in our school system.

The administration's 42 percent cutback runs counter to these federal findings, and represents a serious reversal of our 1968 commitment which pointed to the "urgent need . . . for comprehensive and cooperative action" by federal as well as local and state levels. We must return to that commitment, particularly in light of the recent *Lau* decision.

This decision ranks in importance with the 1954 *Brown* ruling in mandating equal educational opportunity for all children. It has taken nearly two decades to gain national recognition of the problems of language discrimination in this country and the need for bilingual/bicultural education. The Supreme Court in *Lau* concludes that English-only classes failed to meet the educational needs of children whose dominant language is other than English, and that supplemental programs are necessary to protect the students' right to equal educational opportunity.

In passing the Bilingual Education Act, Congress realized the national scope of the issue and the federal responsibility to develop a "comprehensive and cooperative" action plan with state and local school officials. To withdraw that coperation now would weaken—and perhaps even sabotage—the aim and significance of *Lau*. Unless an increased federal commitment is made, millions of children will continue to be denied equal education and economic opportunity in this country.

It seems ironic that while we haggle over whether to spend $60 or $35 million a year for bilingual education, this country spent a staggering half a billion dollars or more a year to support educational efforts abroad through U.S. foreign aid programs, including contributions to multilateral development banks.

I offer these figures not as an argument against aid to developing nations but to show the frightening gap in our federal commitment and responsibility to our 5 million children who need bilingual education.

There is no excuse for this lack of funding priority for this program. I believe these hearings and your committee's report can bring about a re-examination, particularly in the context of the *Lau* decision, and call for a more effective level of funding for bilingual education. On my part, I will continue to push in the Appropriations Committee for increased funding of this effort.

The *Lau* decision has another important aspect which bears directly on federal responsibility. In order to carry it out, the Department of Health, Education and Welfare must increase its administrative enforcement and compliance responsibilities to assure that state and local school officials comply with the *Lau* mandate. This will likely mean additional funding for these investigative and enforcement activities, as well as Congressional scrutiny of HEW's performance in this area.

In addition, Congress must probe into the affirmative action program of the U.S. Office of Education to insure that the Spanish speaking and other language minorities are properly represented. These minority employees must be involved in every phase of the Office's policy making as well as participate in the formulation of bilingual goals and program priorities.

In a January 23, 1974 letter to Commissioner John Ottina, I raised the issue of OE's "serious lack of employment opportunity." On the basis of this agency's own data, I found that for the Office of Education as a whole, the Spanish speaking held 44 out of a total of 2,588 positions, representing only 1.7 percent. In the School Systems division, this group held just 8 out of a total of 430, representing 1.8 percent. In the Higher Education division, they held 3 out of a total of 458, representing 0.6 percent.

I believe the *Lau* decision offers us a challenge to expand our horizons of cultural understanding and educational opportunity. Bilingual education should become for all citizens a resource—a necessary ingredient of American education and society. I hope that you share with me in sustaining this effort as a federal responsibility. To achieve this requires cooperative and binding ties between federal and local school officials, as expressed in the 1968 Act. Cutbacks will not fulfill the ideals and purpose of this Act but only hasten its demise. Join me in the call for a stronger federal commitment to bilingual education as a national educational goal.

Mrs. CHISHOLM. At this point we are going to call for a panel of three persons, Dr. Josue Gonzalez from the University of Massachusetts, Rockefeller Foundation; Dr. Jose Cardenas, executive director for Texans for Educational Excellence, San Antonio, Tex., also representing the Educational Task Force La Raza; and we are going to ask Mr. Bell to introduce Mr. Manuel Fierro, executive director of the Raza Association for Spanish-Surnamed Americans.

Mr. BELL. Thank you, Madam Chairperson. It is a pleasure to introduce to the committee my good friend, Manual Fierro, and tell the committee he has been an outstanding spokesman in the Razda Association. Not only that, but his good works are known statewide for his efforts in the State of California.

Mr. Fierro, it is a real pleasure to have you before the committee.

STATEMENT OF MANUEL FIERRO, EXECUTIVE DIRECTOR, RAZA ASSOCIATION FOR SPANISH-SURNAMED AMERICANS, ACCOMPANIED BY JOSUE GONZALEZ, UNIVERSITY OF MASSACHUSETTS, ROCKEFELLER FOUNDATION; AND JOSE CARDENAS, EXECUTIVE DIRECTOR, TEXANS FOR EDUCATIONAL EXCELLENCE, SAN ANTONIO, TEX.

Mr. FIERRO. Thank you very much, Congressman Bell and Congresswoman Chisholm and members of the committee.

First of all, I would like to commend Congressman Bell and Congresswoman Chisholm for their efforts in bringing about these oversight hearings and the community extends their appreciation for their efforts in this regard.

Mr. Chairman and members of the committee, my name is Manuel Fierro. I am the executive director of Raza Association of Spanish-Surnamed Americans (RASSA), a national nonpartisan citizens lobby for and of the Spanish speaking. With me today are Dr. Jose Cardenas, executive director of Texans for Educational Excellence and a former school superintendent in San Antonio, Tex.; and Sr. Josue Gonzalez from the University of Massachusetts, two of the most renowned Mexican-American bilingual educators in the United States.

On behalf of our board of trustees who represent a cross-section of the Spanish-speaking people throughout this Nation, I wish to express their appreciation as well as my own for the opportunity to appear before you today and to commend you for your initiative and foresight in addressing yourselves to one of our nation's most serious inequalities in education, the education of over 5 million limited and non-English-speaking American children who have been the victims of neglect and misunderstanding.

Since 1967 when Congress first passed title VII of the Elementary and Secondary Education Act, the Bilingual Education Act, there has been a continual effort by our community to create educational programs which would provide these children with a new way to learn in two languages at once and give them the opportunity to read, speak and write in two languages, which is the language of the majority and in their native language, the language of their heritage, their home and community.

I don't believe these efforts were entirely altruistic. There was a need to keep these children in school and teach them so that they could become productive and participating members of our society, instead of becoming dropouts and welfare recipients of the future. The money that was provided for that extra educational effort was not only to provide educational equality for these children, it was also to be an investment in the future well-being of this Nation.

Unfortunately, Congress has never provided the money which would accomplish a real breakthrough for these children. Bilingual education in the United States today is still a series of undernourished and limited programs. After more than 6 years title VII is only reaching less than 3 percent of those children who are suffering educational deprivation and cultural assault. The history of bilingual education in this country is a history of a need not met and commitments not kept.

Additionally the Bilingual Education Act has "unfavored legislation status" with this administration. We have had to fight for every dollar funded to title VII. Even now after an increase of $15 million last year, the President's budget request for next fiscal year is back to $35 million.

For fiscal year 1973 the Office of Education is funding 217 programs. They have refused 118 others because there was no increase in spending allowed. More than 122 programs were not even considered for funding. Thus only a tiny fraction—147,000—of the millions of children in need were served this year. If the administration's suggested budget cut were to be accepted, only 141,000 children could be served next year. Only 211 programs would be funded in fiscal year 1974 under that proposal.

I ask you. How can the Members of Congress allow that to happen? These children are caught in a budget war they cannot understand or fight for themselves. How can the Members of Congress go on, year after year, allowing a systematic denial of equal educational opportunity to more than 5 million American children?

Because we face again the real limitations of the budget and a real lack of effort on the part of the administration to either understand or improve the current Federal support program the Senate has proposed amendments to the bilingual education legislation in order to improve and expand on the original legislation. These amendments provide for a single national comprehensive program in bilingual education.

Specifically the amendments to title VII of the ESEA in the Senate (S. 1539) provide for the following:

It redefines the definition of bilingual education and the term "limited English-speaking" to encompass a broader concept.

Emphasizes training of bilingual teachers, teacher aides, other personnel rather than solely subsidizing bilingual education programs at local schools—although it expands those programs as well.

Upgrades administrative position of bilingual education within OE/HEW hierarchy by making it a Bureau of Bilingual Education, headed by a director at a GS–18 level.

Authorizations: Increases $135 million to $145 million next year and then $10 million increases for each of the next three years.

Amends the vocational education programs by requiring consideration of bilingual needs at every level of vocational education and authorizes $40 million for this purpose.

Provides for carrying out a program of bilingual education for children on reservations.

Establishes a national fund for bilingual education which provides fellowships up to 500 persons for preparation in bilingual education.

Provides for grants to local school districts for undertaking training programs for bilingual education.

Provides for grants to universities, junior, and community colleges in conjunction with local school districts in setting up training centers.

Provides for set-aside moneys in National Institute of Education of 5 percent for bilingual education research and development.

Places more specific descriptions on the makeup of actual bilingual education program to insure that it is not merely teaching English as a second language, but is actually a comprehensive bilingual education program.

Provides for a National Advisory Council on Bilingual Education.

Mr. Chairman and members of this committee, we are urging each and every one of you to assert yourselves and support these amendments that are contained in S. 1539 when H.R. 69 reaches the conference committee.

That is part of my statement. I would like to point to the recommendations that we are making relative to bilingual education. We feel that a philosophy of bilingual education. We feel that a philosophy of bilingual education must be developed, articulating sound objectives and purposes for the Office of Education. The philosophy must be developed with an input from the National Advisory Committee on Bilingual Education in cooperation with OE.

Additionally, we would like to see the National Advisory Committee on Bilingual Education continue to serve for the full year and not the 6 months it is presently going to serve.

Curriculum development must be strengthened by requiring establishment of a National Center for Bilingual Education. This will require all grantees to submit all curriculum development materials and information into this depository. We would like to see or recommend teacher training institutions be eligible for funding in the legislation, in order to generate resources necessary for bilingual education. School districts must be required to establish strong inservice teacher training programs in order to adequately prepare teachers for bilingual education.

We are encouraging establishment of a Bureau of Bilingual Education in the Office of Education in order to properly organize all of the bilingual education programs within HEW/OE.

Additionally I would like to point out that Raza recognizes that the U.S. Supreme Court decision in *Lau* v. *Nichols* is a landmark decision for bilingual education. We feel that this can be equated with the *Brown* v. *Topeka* of 1954. RASSA recognizes that this decision will have a significant impact on the Federal role in bilingual education.

We believe the decision was based primarily on title VI of the Civil Rights Act and funding for such activities should then come from the Elementary School Aid Act and not from title VIII of ESEA. However, we are suggesting strenuous cooperation between these two components.

Additionally, we feel that bilingual education research is of utmost importance and extremely necessary since few studies have identified successfully exemplary educational strategies, methodologies, techniques and assessment instruments for adaptation or duplication purposes. This information would certainly comply with congressional intent in maximizing Federal resources in an effort to directly provide for the teacher's professional growth and development as well as the student's. Therefore, we strongly urge that the committee earmark and support the earmarking of funds under this act specifically for bilingual education research.

Let me conclude my statement by saying that I am providing a complete statement for the record, Madam Chairman, so it can be included in its complete form. But let me conclude my statement by saying that if we can achieve one thing only, through these oversight hearings, that one thing is your understanding of the desperate situation in which millions of American children have been placed and are being placed, then I ask you to address yourselves to the commitment each and every one of you must make in order to provide a quality education for these children.

[Prepared statement follows:]

STATEMENT OF MANUEL FIERRO, EXECUTIVE DIRECTOR, RAZA ASSOCIATION FOR SPANISH-SURNAMED AMERICANS

HISTORICAL OVERVIEW OF BILINGUAL EDUCATION

A. Federal

The Federal role in bilingual education was initiated late in the 1960's when former Senator Ralph Yarborough (D. Tx.), Senator Joseph M. Montoya (D. N.M.), Congressman Edward Roybal (D. Cal.), Congressman Henry Gonzelez (D. Tx. and others amended the Elementary and Secondary Education Act of 1965. in 1968, former President of the United States Lyndon B. Johnson signed the legislation providing for the Bilingual Education Act—Title VII of ESEA. This was the culmination of long and hard work sparked by concerned educators and organizations, such as the National Education Association and affiliates. The results of the NEA conference in Tucson which led to the Rederal role in bilingual education centered around the following facts:

> The large push out rates of Mexican American children in the schools of the southwest.
>
> The cultural conflict between the school curriculum and the culture of Mexican American students.
>
> The cultural deficiency of educators and their inability to teach culturally and linguistically distinct children.

The initial thrust of the Bilingual Education Act was to establish "demonstration projects" through Federal grants in an effort to deal with the issue of providing a better opportunity for children whose dominate language is Spanish. In FY-69 only $7.5 million were authorized for bilingual education which provided for 70 programs throughout the country. The Federal Government currently funds 217 projects with only $35 million from title VII.

The Spanish-speaking student population presently in the United States constitutes the largest non-English-speaking population. The United States 1970 census county of school age persons by mother tongue reported a Total of 3,110,000 Spanish Americans; 74,000 native Americans; 221,000 Asian Americans and 1,537,000 others, totalling approximately 5 million students in need of bilingual education. Unfortunately, title VII funding has reached less than 3% of the population in need.

B. State Participation

The recent Jimenez report on State participation on bilingual education updated by the National Education Association and the National Task Force de la Raza for the National Bilingual Bicultural Institute at Albuquerque, New Mexico identified fourteen States with legislation permitting the use of a language other than English for instructional purposes in the schools. Few States have appropriated and authorized State funds for bilingual instruction. A List of States is included for the record.

C. Magnitude of the need for bilingual education

Recently, at the National Bilingual Bicultural Institute at Albuquerque, New Mexico, a statement was delivered by a renowned educator emphasizing the following facts:

> The United States is the fifth largest Spanish speaking country in the Western-Hemisphere—of the eighteen Spanish American countries, only Mexico, Argentina, Colombia and Peru have populations that exceed the number of Spanish speakers in the United States.
>
> The median age for Chicanos in the U. S. is 18.6 years. For Puerto Ricans, it is 18; and for the white population it is 28.6. In other words, whites are ten years older on the average than the Spanish speaking population.
>
> The birthrate of Spanish speaking groups in the U. S. is nearly twice as high as that of English speakers in the U. S.
>
> From 1968 to 1970 the total number of children attending public schools in this country increased by about 3.5 percent. During the same period the number of Spanish speaking children in school increased at a rate almost four times greater than the national average.

What these statistics indicate is that the United States is now one of the major Spanish-American countries in the world.

The 1972 Office of Civil Rights survey of the elementary and secondary public school enrollment and the 1970 Census report clearly point out that the Spanish speaking population in the United States tends to be concentrated in several States. Approximately two-thirds of the school age children from Spanish American, Asian American, or native American language speaking families are located in California, New York, Texas, Arizona, Colorado, Florida, Illinois, New Jersey and New Mexico. These States account for 81% of these children. Other States like Connecticut, Louisiana, Massachusetts, Michigan, Ohio, Hawaii, Alaska, Rhode Island, Indiana and Wisconsin also contain large "non-English speaking."

D. Teacher training and availability

Perhaps one of the fundamental problems of bilingual education has been the lack of trained personnel. When the Bilingual Education Act was enacted and projects were funded, the traditional classroom teacher was ill-equipped to teach in a bilingual environment. School administrators, in their efforts to deal with the program, placed teachers of Spanish to teach bilingually or employed a Peace Corps volunteer as the director of the project. Soon they found out that these were mistakes. Unfortunately, title VII did not provide for teacher training; therefore, it was necessary to look for other sources which at times proved frustrating and futile. The client at the end was the victim.

According to the U.S. Office of Education, approximately $18.0 million from title VII funds have been expanded to train a total of 9,292 teachers and 6,800 aides and approximately $6.6 million from EPDA funds to train a total of 1,822 teachers. Unfortunately, virtually all of the training has been in-service rather than pre-service. Very little if any training has been funded by the States or other Federal programs for teacher training.

In a survey conducted by the NEA and the National Education Task Force de la Raza in preparation for the National Bilingual Bicultural Institute, over 80% of the title VII project directors indicated a shortage of bilingual teachers and regarded this shortage as a major obstacle in setting up projects and continuing them when Federal funds were withdrawn.

A top official and educator of the National Education Association recently cited some figures based on the 1972 Office of Civil Rights survey of elementary and secondary school enrollment, stating that there was a need to employ 211,000 minority educators. According to that study there is one white teacher for every 22.5 white children. Using that teacher-student ratio, and applying the statistics based on the 1970 census reported by mother tongue, we contend there is a need to have 138,222 Spanish speaking bilingual teachers, 3,290 native American bilingual teachers, and 9,822 Asian American bilingual teachers.

The 1972 Office of Civil Rights report states that there are 22,780 Spanish speaking, 7,333 Asia American, and 2,945 native American full-time classroom teachers nationwide. It is estimated that at most 50% of these individuals are fluent in the language associated with the ethnic group. All of these teachers are potential candidates for a strong inservice training bilingual education program and if they were willing to become bilingual teachers and willing to transfer, there would still be a teacher shortage because these teachers constitute only —% of those needed.

MAJOR ISSUES IN BILINGUAL EDUCATION

The following items have been identified as issues in bilingual education that warrant immediate attention.

1. Bilingual education is regarded as a remedial or compensatory program in nature. The opening sentence of title VII, ESEA legislation states "in recognition of the special educational needs of the large number of limited English speaking children . . . " Perhaps it should read "in recognition of the limited ability of educators who have failed to educate large numbers of culturally and linguistically distinct children . . ." The deficiency is not that of the child, but that of the "culturally deficient" educator, and it should be recognized as such.

2. The inability of the Office of Education, Department of Health, Education and Welfare to develop a sound educational philosophy based on a well-articulated statement of goals and purpose for bilingual/bicultural education.

Recently, the Office of Education developed what was intended to be the Federal role in bilingual education. A copy is hereby submitted for the record.

Fortunately, this philosophy was never adopted officially due to the *Lau* vs. *Nichols* Supreme Court decision. It was regarded as a landmark decision which was perceived by Office of Education officials to affect the Federal role in bilingual education.

In addition, the Office of Civil Rights has never adopted a formal position on what specific special services are required by title VI, even though they have successfully brought suits against several school districts which were found in non-compliance.

Rassa believes that a philosophy on bilingual education must be developed? Based on a well articulated statement of goals and purposes for bilingual bilingual bicultural education. It must be developed by the National Advisory Council on Bilingual Education in cooperation with appropriate educators, communities, agencies and external organizations. In addition, a formal position on the specific special services required by title VI of the Civil Rights Act of 1965 for school districts must be developed, based on input from the Office of Civil Rights in conjunction with the Office of Education and the National Advisory Committee on Bilingual Education.

3. Currently, curriculum development and adaptation is generally carried out by individual title VII grantees and usually dissemination is a problem. Two national centers are presently involved in disseminating and publishing materials developed by these title VII projects: The Dissemination Center for Bilingual/Bicultural Education in Austin, Texas and the Materials Acquisition Center in San Diego, California.

It is extremely important that the existing national centers aforementioned be strengthened financially. In addition, a national clearing house for bilingual education materials and information must be established, in an effort to provide teachers, educators and concerned individuals with pertinent resources for classroom use.

4. The NIL coordination of title legislation related to bilingual bicultural education has adversely affected the progress of bilingual education. There are several other programs besides title VII that provide funds for bilingual education, i.e., Title I-ESEA, Title I Migrant, Head Start, Followthrough, Title III of the Higher Education Act, EPDA, the Indian Education Act, and ASAA. Unfortunately, one project director does not know what the other is doing.

We believe that a bureau for bilingual education if organized properly could coordinate the various Federal sources and lead the way for effective and efficient utilization of available Federal resources and would enhance the Federal role in bilingual education.

RECOMMENDATIONS

A philosophy of bilingual bicultural education must be developed, articulating sound objectives and purposes for the Office of Education. The Philosophy must be developed with input from the National Advisory Committee on Bilingual Education in cooperation with OE, as well as external and internal input from educators, teachers, communities, etc.

The Office of Civil Rights must establish a formal position regarding school districts found in non-compliance with title VI of the Civil Rights Act of 1965. This must be developed in cooperation with the National Advisory Committee for Bilingual Education, The Office of Education, and appropriate input from teachers, educators, and community groups.

It is also recommended that the memorandum identified as the May 25th memorandum, issued by the Office of Civil Rights regarding the "identification of discrimination of services on the basis of national origin." be incorporated into the legislation. A copy of the May 25 memorandum is submitted for the record. This would certainly strengthen the office of civil rights in the enforcement process.

Curriculum development and dissemination must be strengthened by requiring the establishment of a national center for bilingual education. This would require all grantees to submit all curriculum development materials and information into this depository. In addition, all grantees and other interested individuals would have access to pertinent resource information for classroom use. The present national centers (Austin, Texas and San Diego, California) would continue their operation as satelites on a regional basis to the national center.

Teacher training institutions must be eligible for funding in the legislation, in order to generate the resources necessary for bilingual education. School districts must be required to establish strong inservice teacher training programs, in order to adequately prepare teachers for bilingual education. The use of teacher aides in classroom instruction must be encouraged, and a program that would allow teacher aides to receive an education while working (such as the career opportunities program) must be established.

The establishment of a bureau for bilingual education in the Office of Education, if properly organized, would certainly enhance the coordination of the bilingual education Federal resources.

Section 421(c) of the General Education Provisions Act, which states that there shall be no limitation on the use of funds appropriated to carry out any program other than limitations imposed by the authorizing statute, must be continued and strengthened. Presently, the Office of Education, title VII office is planning to discontinue funding of about 70 local and national bilingual education projects based on section 123.13 (c) of the Federal Regulations published in the Federal Register of October 1, 1973. Rassa contends that the present operation of the title VII office based on the proposed regulations is capricious, since they are in violation of section 421 (c) of the General Education Provisions Act (Cranston amendment) and the fact that the proposed regulations published in the Federal Register of October 1, 1973 were printed without consultation with the National Bilingual Advisory committee, authorized by section 708 of the Act. In order to facilitate the process Rassa encourages the committee to guarantee the eligibility of those projects in their fifth year of Federal funding and strike the constraints of the fifth year funding eligibility set forth in the Federal Register of October 1, 1973.

Rassa recognizes the U. S. Supreme Court decision in *Lau* v. *Nichols* as a landmark decision for bilingual bicultural education that can be equated to the *Brown* v. *Topeka* of 1954. It is further recognized that this decision will have an impact on the Federal role in bilingual education. We believe that since the decisions was based primarily on Title VI of the Civil Rights Act, funding for such activities should come from ESAA and not from title VII of ESEA. However, strenuous coordination is suggested.

Bilingual education research is of utmost importance and extremely necessary since few studies have identified successful exemplary educational strategies, methodologies, techniques and assessment instruments for adaptation and/or duplication purposs. This information would certainly comply with congressional intent of maximizing Federal resources in an effort to directly provide for the teachers' professional growth and development as well as the students' opportunity for a better education. Therefore, Rassa strongly urges the committee to earmark Federal funds under this act specifically for bilingual education research.

ASSESSMENT OF NEED FOR BILINGUAL/BICULTURAL PERSONNEL AND TRAINING

Note: The entire value of the data you provide rests on the accuracy of the figures. However, we prefer reasonably accurate figures to no answer whatever. Please do not answer using percentages unless indicated. We can always convert raw numbers into percentages. Some questions may seem repetitious, but please answer them.

Questions concerning your district as a whole:

1. How many teachers are there in your district?	217, 209
2. Of the total, how many teachers should be bilingual/bicultural in order to serve all the students needing such teachers?	35, 117
3. How many teachers do you currently have that are bilingual?	9, 448
4. What is the number of bilingual teachers being annually prepared in *pre-service* programs by local colleges and universities?	[1] 2, 153
5. What is the number of students in your district?	4, 471, 860
6. What percentage of the students is bilingual, i.e., has need for bilingual teachers?	44. 39

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[1] 46 said don't know.

7. What languages other than English are represented by the bilingual students in your district. Check all that apply.

Spanish	99
Indian	23
Portuguese	16
French	13
Chinese	26
Japanese	18
Russian	7
Other	24

8. In the blanks please place the numbers of students representing each language.

Spanish	845, 548
Indian	8, 811
Portuguese	2, 172
French	17, 433
Chinese	36, 229
Japanese	10, 202
Russian	596
Other	100, 317

Questions concerning your program, the school or schools in which the bilingual program is located.

1. How many teachers are there in the school(s) where the bilingual program is located?	9, 728
2. Of the number of teachers in the above answer, how many are bilingual?[1]	2, 414
3. How many teachers are in the bilingual program?	2, 772
4. Of the number of teachers in your bilingual program, how many are bilingual?	1, 951
5. Of the number of teachers in your bilingual/bicultural program, how many need in-service bilingual/bicultural training?	2, 354
6. Of the number of teachers in the school(s), how many need in-service bilingual/bicultural training?	9, 071

7. What languages other than English are represented by the students in the school(s) where your bilingual program is located:

Spanish	96
Indian	16
Portuguese	10
French	10
Chinese	17
Japanese	14
Russian	3
Other	20

8. In the blanks please place the numbers of students representing each language.

Spanish	119, 715
Indian	1, 982
Portuguese	1, 133
French	3, 778
Chinese	3, 230
Japanese	1, 396
Russian	261
Other	12, 088

Questions concerning types of need for bilingual/bicultural training.

1. What areas of in-service training should be emphasized to prepare bilingual/bicultural teachers? Please rank them, No. 1 is highest priority.

Language development	1. 75
Ethnic cultural heritage	2. 39
Methods of teaching English as a second language	2. 73
Methods of teaching (1) as a second language	3. 21
Other areas courses (specify)	3. 43

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[1] That is, capable of teaching with equal facility in both languages.

2. What types of pre-service courses should be given to prepare bilingual/bicultural teachers? Please rank them, No. 1 is highest priority.

Language development	1. 89
Ethnic cultural heritage	2. 34
Methods of teaching English as a second language	2. 76
Methods of teaching ([1]) as a second language	3. 10
Other areas courses (specify)	3. 15

3. What do you feel is the greatest need in the area of training teachers for bilingual/bicultural programs? Please rank them, No. 1 is highest priority. You may want to use No. 1 more than once.

Recruitment of bilingual/bicultural teacher trainees	2. 23
Financial aid for teacher trainees	2. 73
More appropriate college course work and trainee programs which relate more directly to the needs of bilingual children	1. 62
More practical experience in a bilingual setting for teacher trainees	2. 04
Other, describe	2. 83

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[1] Please fill in with the name of the language group your project serves.

ADDENDUM

STATES WITH STATE BILINGUAL/BICULTURAL LEGISLATION OR OTHER PROVISIONS ALLOWING BILINGUAL/BICULTURAL EDUCATION

1. *Alaska*—Bilingual/bicultural legislation includes $200,000 which was appropriated for the school year 1972–73.

2. *California*—The Bilingual Education Act of 1972 was enacted and $5 million was appropriated for its program. Since then, the legislature has passed the Bilingual Teachers Act and appropriated $20,000 for teacher training.

3. *Connecticut*—Although the state has no specific bilingual education, Connecticut has two laws giving sanction which are permissive for bilingual/bicultural education. The State Act for Disadvantaged Children earmarked $7 million.

4. *Illinois*—Provisions for bilingual/bicultural education have been enacted. Money is allocated for this type of program and appears as an in-line, cost item in the budget. ($4.5 million is being proposed for supporting bilingual/bicultural programs with state monies.)

5. Louisiana—Extensive legislation for bilingual/bicultural education (predominantly French) has been enacted. They established Council on the Development of French in Louisiana, (CODOFIL) with a budget of $1 million, all of which are state monies.

6. *Maine*—Maine's six-year-old statute is in line with the concept of bilingual/bicultural education. The statute is permissive and allows for bilingual education programs "to use BE techniques in preschool through second grade." (They have removed the second grade limitation for teaching in the mother tongue.) Maine is a member of Council on the Development of French in New England, (CODOFINE). Funds for supporting these programs come out of the general education budget.

7. *Massachusetts*—The state has bilingual/bicultural legislation (Transitional Bilingual Education Act, 1971) which funds over and above per capita cost with a floor of $250 and a ceiling of $500. Funds come out of the general aid to education.

1st year—$1.5 million allocated.
2nd year—$2.5 million allocated.
3rd year—$2.5 million allocated.
4th year—$4 million allocated.

8. Michigan—The state appropriated $88,000 for bilingual/bicultural programs. Funds come out of state education budget. There is no specific bill—just authorization to use the money for this purpose.

9. *New Mexico*—The state now has two laws which are permissive of bilingual/bicultural education (House Bill 270, 1971; Senate Bill 155). House Bill 270 allocates no money for bilingual/bicultural education programs. How-

ever, it permits the school districts to use part of their appropriation for BE programs if they see a need to do so.

10. *New York*—The state has now passed legislation on bilingual/bicultural education and appropriated $1.5 million. The program is designed to be transitional, but actually the grants are for programs K–12 in auto-mechanics, business skills, cosmetology, math, reading, and science.

11. *Oregon*—Legislation allows English to be taught as a second language in any Oregon school. However, there are no State appropriations.

12. *Pennsylvania*—The state has no specific legislation on bilingual/bicultural education. However, Pennsylvania has some directives applicable to bilingual programs, which were sent to all school districts within the State. They received the School Administrators Memorandum 515, Guidelines for Educational Programs for Children whose Dominant Language Is Not English. These guidelines make it mandatory to offer bilingual programs using State and local funds.

13. *Texas*—There is now bilingual/bicultural legislation. Earlier this year, $1.2 million was appropriated for bilingual programs.

14. *Washington*—The state has specific bilingual/bicultural legislation and guidelines, and $700,000 was appropriated.

States with pending legislation:

1. Colorado, 2. New Jersey.

States Without Bilingual/Bicultural Legislation:

Albama, Arizona, Arkanas, Delaware, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Ohio, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Note: Hawaii was not included in survey.

[illegible]. CHISHOLM. Thank you very much, Mr. Fierro.

Mr. Cardenas.

Mr. CARDENAS. Madam Chairperson and members of the committee, I want to thank you for this opportunity to testify before the committee concerning the education of Spanish-speaking children in this country. I would like to make a short presentation and I will attempt not to be redundant with what Mr. Fierro already testified.

Thank you for this opportunity to testify before this committee concerning the education of Spanish-speaking children in this country.

For some years now the 10.5 million Spanish-speakers in the United States have been concerned with the failure of the schools to educate their children. This failure is reflected in the typical performance of these minority children. In general, all studies of Spanish-surnamed children and their performance in school present similar conclusions:

1. The dropout rate is abnormally high. Almost all studies of Spanish-surnamed children have revealed that over 50 percent of the children drop out of school prior to the completion of the 12th grade. In many cases this failure has been higher with some specific cases in excess of 90 percent.

2. The inability of the schools to respond to the characteristics of the Spanish-speaking has resulted in an exceptionally high failure and retention rate. Recent studies indicate that more than 50 percent of all Spanish-speaking children are retained at least once before completing the third grade.

3. The achievement of the children who remain in school leaves much to be desired. In general, Spanish-surnamed children perform on the average 1 year below national norms at the third grade level,

1½ below at the sixth grade level, and 2 years below national norms at the seventh grade level.

This underachievement becomes even more meaningful in the light of the excessive dropout rate mentioned earlier. Since it can be assumed that the children who drop out of school are those who are performing most poorly, it would be expected that the remaining children form a biased sample, including only the better achieving children. Therefore, the academic expectancy for this group should be higher than normal.

Yet, I indicated that the performance of the remaining children is considerably below the national average. As a minority community spokesman in the Midwest recently expressed it:

> After 63 percent of our population has withdrawn from the schools, 63 percent of the children who the school says are the socially maladjusted, the mentally disturbed, the lazy, the unmotivated, the incorrigibles, the nonlearners and the mentally retarded, you would think that the 37 percent who do remain in school would do very well. This is not the case. The very few who remain in school do very poorly.

4. A fourth indication of the failure of the schools to educate the Spanish-surnamed Americans is the number of these children assigned to classes for the mentally retarded. All studies indicate a disproportionate assignment of minority children to these classes. In one community, according to former U.S. Commissioner of Education Sidney Marland, 86 percent of all Mexican-American children in the school system had, at one time or another, been placed in a class for the mentally retarded.

The failure of the schools to educate Spanish-surnamed children is even more remarkable when one considers the technological advances available to school personnel.

A prominent psychologist from New York State once stated that it is startling to note the technological advances which have been made in education, but which unfortunately have never been effectively implemented in the classroom. Too illustrate, he described an experiment in which through the use of different intensity lights, a one-celled amoeba, the lowest form of animal life, could be taught certain skills utilized in the reading process such as initial letter discrimination and, incidentally, a process that many millions of children fail to master in our schools.

It seems to me that this huge discrepancy in the learning of children and amoebas can be attributed to the utilization of appropriate tools and methodologies in the laboratory for providing the instruction to the amoeba. If the amoeba were sent to our schools in order to acquire the skills so easily achieved in the laboratory, the results would be disastrous.

School personnel would enroll the amoeba in a standard program with 34 other students and utilizing the same basic readers, workbooks, materials, furniture, and equipment designed for much larger clients, they would fail to develop any skills. In fact, the disproportionate sizes of the amoeba and the reading books may indicate a physical impossibility for it to travel across the first page in the course of a school term.

School personnel would then rationalize their failure by stating that the amoeba did not learn because its parents spoke the wrong language, there was a lack of home stimulation, a lack of discipline and it suffered from verbal deficiencies, the same rationalizations that are used for explaining the failure of the schools to educate minority children.

In recent years we have seen the development of instructional programs which can make the difference between success and failure in the education of the Spanish-speaking child. The development of bilingual education programs under title VII of the Elementary and Second Education Act promised new hope for the millions of Spanish-speaking who had seen their hopes for their children disappear in failure, underachievement, and school dropouts.

The amount of success enjoyed by the children through bilingual education has been rather limited. In contrast to the high hopes held by the Congress as well as the high hopes of the Spanish-speaking community, the implementation of title VII, ESEA has done very little to diminish the negative performance of Spanish-speaking children in our country's schools. The reason for this failure is not that the rationale of bilingual education is unsound, but rather, in spite of a sound rationale existing programs have not been sufficient, either quantitatively or qualitatively to offset the handicaps which the school places on the education of the Spanish-speaking.

An analysis of current efforts to provide equality of educational opportunity to the Spanish-speaking through bilingual education programs uncovers the following five deficiencies:

1. There has been limited availability of bilingual education programs to Spanish-speaking children. A recent study concluded that barely 2 percent of all children eligible for and in need of bilingual education programs were receiving such programs.

The resources necessary for the implementation of bilingual education in all schools of the country are not available.

2. In general, school systems have offered only token endorsements of bilingual education. Realizing that incompatibilities exist between the instructional programs and the language characteristics of the Spanish-speaking, schools persist in forcing children to adapt to the traditional school program rather than to adapt the school program to the Spanish-speaking child.

The minority child is rather unique in this unresponsiveness on the part of the school district. When atypicalness is a characteristic falling within the area of the dominant cultural groups, the school has consistently modified its programs to fit the child. Thus, we commonly see special programs for orthopedically handicapped children, Braille materials for teaching the blind, and elaborate schemes, materials, and equipment to fill the needs of a limitless assortment of White, Anglo, English-speaking, and middle-class atypical children. But when the atypical characteristic is attributed to race or ethnicity, the school has placed the burden of adaptability on the child.

3. Programs for the Spanish-surnamed children have consistently failed to develop the comprehensiveness necessary for success in eliminating all the incompatibilities between the disadvantaged minority Spanish-speaking child and traditional school programs.

Bilingual education programs are rarely accompanied with responses to poverty and other characteristics of minority children.

The bilingual education curriculum fails to change racist philosophies and policies of education institutions and the staffing of school programs, monolingual or bilingual, is most inadequate. Even programs funded by the same agency fail to complement each other, and more often than not impede success through their mutual exclusiveness.

As an ex-superintendent of schools I am keenly and painfully aware of the lack of relationship between the various programs implemented by the Federal Government. Furthermore, the various programmatic activities have conflicting guidelines which make it impossible for the various programs to succeed.

For example, as superintendent of schools in the Edgewood independent school district in San Antonio Texas I was responsible for the development and implementation of the career opportunities program (COPYO established and funded by the Education Performance Development Act and the title I program implemented and funded by the Elementary and Secondary Education Act.

The COP program required that paraprofessional personnel (teacher aides) be given released time for further training and eventual upward mobility into professional positions. Paraprofessionals in the COP program funded by title I, ESEA and other Federal programs were prohibited from receiving released time for participation in EPDA training activities. This paradox was reported to the heads of the various programs who failed to come to an understanding in order to resolve the issue.

The final recommendation from the U.S. Office of Education was for the Edgewood school district to provide released time to COP participants for training in keeping with COP guidelines and not to provide the participants released time for training in keeping with title I guidelines. As a superintendent of schools you are damned if you do and damned if you don't.

4. A fourth reason for the limited success of bilingual education programs has been the meager resources available for developmental activities.

The U.S. Office of Education chose to allocate small sums of resources to a large number of school districts at the inception of title VII, thus precluding the establishment of extensive and intensive development activities. Each school district which receives a title VII grant goes through the process of developing a curriculum with meager and inadequate fiscal and personal resources for doing so. Nowhere do we see the millions of dollars needed for an extensive curriculum development effort and staff training effort such as those utilized in the revision of the science or AAAS mathematics curricula.

5. A fifth reason for the limited success of bilingual education has been the lack of research efforts in this area.

Empirical studies for bilingual education are just not available. Questions arise as to the best ways of implementing bilingual programs. Allocations of time and space, best methods of organization, methodologies, and content are imperative questions still to be addressed prior to the development of an ideal program. The Federal Government has failed to meet this need.

The research function of the U.S. Office of Education has been transferred to the National Institute of Education. This institution has been most unresponsive to the need to provide research activities and research data for the development of bilingual education programs. The following circumstances make it impossible for NIE to provide meaningful research findings for the development of bilingual programs:

(a) Staffing at the National Institute of Education is almost exclusively white, Anglo-Saxon, English-speaking and middle-class. There has not been, nor is there now, any minority personnel holding a staff position in a relatively high administrative level with insights and competency in bilingual education. Past efforts of national Spanish-surnamed groups encouraging NIE to recruit and employ bilingual personnel at high level positions have been fruitless.

(b) The National Institute of Education has consistently failed to include minority personnel among the various panels and committees reviewing NIE proposals. As a result, proposals submitted to NIE for research activities for the education of minority groups have been reviewed and considered by outside WASP "experts," insensitive to the problems and research needs in this area of education. Subsequently, proposals submitted by minority groups have been misunderstood, unappreciated, and rejected.

(c) Proposals funded by the National Institute of Education have been submitted and are being implemented by white, Anglo researchers. Many of the programs currently funded by NIE do not list a single minority staff member, even in cases where the research purports to be directed toward the education of minority children.

(d) Unbelievable as it may sound, the National Institute of Education promotes and rewards research projects which are "ivory tower" oriented. A recent prospectus submitted by Texans for Educational Excellence was classified ineligible by the National Institute of Education on the grounds that the research findings were developmental. Subsequent communications with NIE staff clarified that the information to be gathered as described by the research prospectus would be utilized in the development of programs. NIE felt it to be detrimental for research findings to be utilized for some useful purpose. NIE staff clearly stated to me that they preferred "ivory tower"—and used the words "ivory tower"—activity in spite of the fact that educational research has already produced great quantities of information of no particular use or interest to anyone.

It is obvious that the existing situation in the National Institute of Education is not conducive to the development of necessary research activities essential to the implementation of bilingual programs or for the education of minority children.

The recent Supreme Court decision in *Lau* v. *Nichols* presents a new dimension in bilingual education. The court has ordered a school district to adapt its program to meet the needs of minority children. It is certain that the application of *Lau* v. *Nichols* through subsequent court cases and Office of Civil Rights enforcement will bring about a major breakthrough in bilingual education. But the breakthrough needs Federal support in order to give school systems the means for effecting this change.

I trust that the Congress of the United States will make available the necessary resources as well as eliminate the existing inefficiencies in order to continue to promote equality of educational opportunity to all children in this country.

Thank you very much.

Mrs. CHISHOLM. Thank you very much.

Now we are going to ask Dr. Gonzalez to make a statement. I would like to say that in view of the fact that we have a number of persons testifying this morning and I know that the committee really desires to ask questions on several aspects. I am going to ask all other witnesses to bring out the highlights of the testimony and then the entire document will be inserted in the record.

Dr. Gonzalez.

Dr. GONZALEZ. Thank you

My name is Josue M. Gonzalez and I am presently associated with the Institute for Governmental Services of the University of Massachusetts.

Since 1967 I have been involved in a number of bilingual education programs in a number of agencies including as my last assignment the directorship of a major nationwide effort in bilingual curriculum development operating under the auspices of the National Urban Coalition. That program was funded jointly by the U.S. Office of Education and the William Randolph Hearst Foundation.

My remarks, therefore, come from the perspective of someone who was involved in bilingual education even before title VII of ESEA was passed and implemented and who has witnessed the trials and tribulations of getting that program off the ground. Because of the pressures of time this morning and because I would like to have the opportunity to interact with members of the committee, I am going to limit my statement to two or three of the most important issues facing us in bilingual education and to offer for the committee's consideration some suggestions as to how we might improve our performance in this area.

First, I would like to address myself to the question of the philosophy and rationale of this educational approach, which in turn might lead us to a clearer and more comprehensive definition of bilingual education than we have had up to now. Second, I would like to speak to some of the processes which I feel we need to institute to make bilingual education a viable and workable part of American education. In this regard I would like to suggest some of the postures and steps which I feel the Federal Government should take in order to make optimum expression of its commitment to minority education in keeping with the spirit of the *Lau* v. *Nichols* decision which was handed down a few weeks ago by the U.S. Supreme Court.

The philosophy which has characterized title VII of ESEA to date is the same philosophy out of which grew title I and all the other compensatory/remedial programs of the Federal Government. A substantial body of current research indicates that remedial and compensatory programs have had only minimal success among children who are culturally and linguistically atypical.

Dr. Geneva Gay, a prominent minority educator, has summarized the major premises and problems inherent in compensatory education quite well and I would like to borrow some of her language and adapt it to our purposes here today:

> The major premise of compensatory education was that minority students were unable to succeed academically in school because of certain deficiencies, traceable to their environmental experiences previous to entering school. Among these deficiencies were retarded language development, lack of motivation and initiative, poorly developed conceptual skills, limited vocabularies and the ability to speak intelligibly. (Chicanos and Puerto Ricans were assumed to have a language problem or barrier caused in many instances by their parents' unwillingness or inability to learn English and then to teach it to their children.) White children were (assumed to be) well grounded in school know-how and success to them was imminent. There was no reason then to worry about altering their educational programs in any way. Rather, it was the "disadvantaged," 'culturally deprived' minority youth who needed enriching compensational experiences so that they would not hinder the continuous progress of white middle-class children once they eatered the same classroom. (Basically then, this approach) blamed the minority child for his failures, placed the responsibility of change upon ethnic minority students, and demanded that the change be in the direction of white middle-class normality. . . .
>
> Other major assumptions underlining the principles and programs of cultural deprivation and compensatory education were (1) the environmental experiences of minority youth were detrimental to achieving academic success; (2) ethnic minorities' lifestyles did not constitute distinct, viable cultural entities; (3) minority youth could be successfully assimilated into the middle-class orientation of schools through compensatory programs designed to eradicate the intellectual damages done by their impoverished environments; and (4) differences were synonymous with deficiencies. Implicit in these arguments is an affirmation of the melting pot ideology. If the deficiencies of minority youth could be corrected and their arrested intellectual growth reactivated with "catch up programs," then the business of schools in educating youth could proceed as usual. (Parentheses mine.)

My contention is that present efforts in bilingual education are too often characterized by these same assumptions and philosophies. Even the language of title VII, ESEA as you may remember, begins with this statement: "In recognition of the special educational needs of the large numbers of limited English-speaking children . . ." Therein probably lies one of the biggest reasons why title VII has had only limited acceptance and success among national origin communities and the broader education community as well.

Those of us who have spent most of our professional lives dealing with the day-to-day problems of educating children with unique needs know that we are much closer to defining solutions than current policy shapers would have you believe through their explorations of past failures. But what we must use as a point of departure for these solutions is an acceptance of other cultures and languages as being legitimate things to have in American schools and society. What we need, in fact, are philosophies and approaches which are the exact opposites of those noted by Dr. Gay.

I suggest that bilingual bicultural education offers some very definite personal, societal, national and human advantages and I would like to review briefly what I think some of these advantages are.

From the minority child's personal perspective, bilingual education is good because it helps that child acquire a more positive concept of himself and enables the child to participate more fruitfully in the activities of the school and to develop his potentialities to the fullest.

My own research indicates that from a developmental point of view the child must have a solid knowledge, respect and acceptance of his own language and culture in the schools. His culture and his language are the main referents with which he measures reality and they are, therefore, the bases on which all of his learnings and his development occurs.

From a national point of view we need only to look at the increasing numbers and percentages of peoples in this country who speak a language other than English and who, therefore, represent a different culture, to understand why we need bilingual/bicultural education.

Every year through immigration, legal and otherwise, this number increases. Already this country is the fifth largest Spanish-speaking country in the Western Hemisphere although, of course, we do not really see ourselves as members of the Latin American community of nations. But numbers alone tell us that this is so.

According to the Population Reference Bureau here in Washington only Mexico, Argentina, Colombia, and Peru have populations which exceed the number of Spanish-speakers in the United States. And just as in international diplomacy we strive to establish bridges with our Spanish-speaking neighbors, so should we be trying to do the same in California, Michigan, Florida, New Jersey, Minnesota, Indiana, Connecticut, Ohio, and all the other States which now have substantial numbers of Spanish-speaking people.

Our society would benefit from an increased ability to talk to and understand our rapidly changing constituencies. And by learning more about each other and learning each other's languages, we can help to minimize the ethnocentrism which characterizes our country and which seeks to make everybody over to sound, look and even smell the same.

In Canada in 1969 the legislature of that country passed the Official Languages Act. That statute requires that the government of that country make available all of its services in either English or French, the two official languages of that country, as may be requested by an individual citizen. Perhaps it is a bit too early to think seriously about a comparable bill in this country. But if the present rate of growth of Spanish-speakers continues, it is not unlikely that we will soon have to consider that as a very definite possibility.

The Commonwealth of Puerto Rico, as you know, conducts all of its official government business in the Spanish language and already there are about one-half as many Puerto Ricans on the Mainland as there are on the island. The State of New Mexico has a population that is about 40 percent Spanish-surnamed and it is not unlikely that before long there will be a strong push in that state to return to having Spanish as an official language, something which would not be new there since the State until recently was officially a bilingual State.

What we are proposing here by way of bilingual/bicultural education will make it possible for us to be better prepared for the complexity of such demands when they do come and to demonstrate that this government is truly a representative democracy which is sensitive to the needs of its variegated populations.

With this as background and point of reference we can then proceed to define a quality bilingual/bicultural education program as a comprehensive instructional program which utilizes the primary language systems and cultures of the various student groups served as the primary mediums of and bases for instruction in the various subject matter areas while a sufficiently rich cultural and linguistic environment is provided to enable each student to acquire full competency in one or more language systems and cultures.

Operationally this would mean that linguistic and cultural minority students as well as students who bring the dominant language and culture to school would have the opportunity to learn a second language and to develop an understanding of one or more additional cultures. This definition neither obligates a school district to provide linguistic and culturally diverse instructional programs nor does it place a minority culture and language in a subordinate position to another.

I would like to briefly summarize the rest of the statement. I wanted to speak to the question of the Federal role in bilingual education. I said that basically we have about three kinds of roles that are perhaps or most appropriate for the Federal Government. A faciliting role to conduct research, model development, dissemination, dissemination of models, et cetera, and of course a funding role in assisting the school districts not having adequate program development capabilities themselves to develop programs and to get away from one of the things that we have seen, which is a big brother supervisor-type of role in which Washington decides excatly what the bilingual program should look like in every area.

I would like, however, to have the entire statement included for the record.

Mrs. Chisholm. Thank you very much and the entire statement will be included in the record.

[Complete statement follows:]

STATEMENT OF JOSUE GONZALEZ, UNIVERSITY OF MASSACHUSETTS

My name is Josué M. González and I am presently associated with the Institute for Governmental Services of the University of Massachusetts.

Since 1967 I have been involved in a number of bilingual education programs in a number of agencies including as my last assignment, the directorship of a major nationwide effort in bilingual curriculum development operating under the auspices of the National Urban Coalition. That program was funded jointly by the U. S. Office of Education and the William Randolph Hearst Foundation.

My remarks therefore, come from the perspective of someone who was involved in bilingual education even before Title VII of ESEA was passed and implemented and who has witnessed the trials and tribulations of getting that program off the ground.

Because of the pressures of time this morning and because I would like to have the opportunity to interact with members of the committee, I am going to limit my statement to two or three of the most important issues facing us in bilingual education and to offer for the committee's consideration some suggestions as to how we might improve our performance in this area.

First, I would like to address myself to the question of the philosophy and rationale of this educational approach which in turn might lead us to a clearer and more comprehensive definition of bilingual education than we have had up to now. Secondly, I would like to speak to some of the processes which

I feel we need to institute to make bilingual education a viable and workable part of American education. In this regard I would like to suggest some of the postures and steps which I feel the Federal government should take in order to make optimum expression of its commitment to minority education in keeping with the spirit of the *Lau* vs. *Nichols* decision which was handed down a few weeks ago by the U.S. Supreme Court.

The philosophy which has characterized Title VII of ESEA to date is the same philosophy out of which grew Title I and all the other compensatory/remedial programs of the Federal Government. A substantial body of current research indicates that remedial and compensatory programs have had only minimal success among children who are culturally and linguistically atypical. Dr. Geneva Gay, a prominent minority educator, has summarized the major premises and problems inherent in compensatory education quite well and I would like to borrow some of her language and adapt it to our purposes here today.

"The major premise of compensatory education was that minority students were unable to succeed academically in school because of certain deficiencies, traceable to their environmental experiences previous to entering school. Among these deficiencies were retarded language development, lack of motivation and initiative, poorly developed conceptual skills, limited vocabularies, and the inability to speak intelligibly. (Chicanos and Puerto Ricans were assumed to have a language problem or barrier caused in many instances by their parents' unwillingness or inability to learn English and then to teach it to their children.) White children were (assumed to be) well grounded in school "know how" and success to them was imminent. There was no reason, then to worry about altering their educational programs in any way. Rather, it was the "disadvantaged", "culturally deprived", minority youth who needed enriching compensational experiences so that they would not hinder the continuous progress of white middle-class children once they entered the same classroom. (Basically then, this approach) blamed the minority child for his failures, placed the responsibility of change upon ethnic minority students, and demanded that the change be in the direction of white middle-class normality. . . .

"Other major assumptions underlining the principles and programs of cultural deprivation and compensatory education were (1) the environmental experiences of minority youth were detrimental to achieving academic success; (2) ethnic minorities' lifestyles did not constitute distinct, viable cultural entities; (3) minority youth could be successfully assimilated into the middle-class orientation of schools through compensatory programs designed to eradicate the intellectual damages done by their impoverished environments; and (4) differences bere synonymous with deficiencies. Implicit in these arguments is an affirmation of the melting pot ideology. If the deficiencies of minority youth could be corrected and their arrested intellectual growth reactivated with "catchup programs", then the business of schools in educating youth could proceed as usual." (Parentheses mine.)

My contention is that present efforts in bilingual education are too often characterized by these same assumptions and philosophies. Even the language of Title VII, ESEA as you may remember, begins with this statement: "In recognition of the special educational needs of the large numbers of limited English-speaking children . . ." Therein probably lies one of the biggest reasons why Title VII has had only limited acceptance and success among national origin communities and the broader education community as well.

Those of us who have spent most of our professional lives dealing with the day to day problems of educating children with unique needs know that we are much closer to defining solutions than current policy shapers would have you believe through their explanations of past failures. But what we must use as a point of departure for these solutions is an acceptance of other cultures and languages as being legitimate things to have in American schools and society. What we need in fact, are philosophies and approaches which are the exact opposites of those noted by Dr. Gay.

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From a national point of view we need only to look at the increasing numbers and percentages of peoples in this country who speak a language other than English and who therefore represent a different culture, to understand why we need bilingual bicultural education. Every year through immigration, legal and otherwise, this number increases. Already this country is the fifth largest Spanish speaking country in the Western hemisphere although of course, we do not really see ourselves as members of the latin American community of nations. But numbers alone tell us that this is so. According to the Population Reference Bureau here in Washington, only Mexico, Argentina, Columbia and Peru have populations which exceed the number of Spanish speakers in the U.S. And just as in international diplomacy we strive to establish bridges with our Spanish speaking neighbors, so should we be trying to do the same in California, Michigan, Florida, New Jersey, Minnesota, Indiana, Connecticut, Ohio and all the other states which now have substantial numbers of Spanish speaking people.

Our society would benefit from an increased ability to talk to and understand our rapidly changing constituencies. And by learning more about each other and learning each other's languages we can help to minimize the ethnocentrism which characterizes our country and which seeks to make everybody over to sound, look and even smell the same.

In Canada in 1969, the legislature of that country passed the Official Languages Act. That statute requires that the government of that country make available all of its services in either English or French, the two official languages of that country, as may be requested by an individual citizen. Perhaps it is a bit too early to think seriously about a comparable bill in this country. But if the present rate of growth of Spanish speakers continues it is not unlikely that we will soon have to consider that as a very definite possibility. The Commonwealth of Puerto Rico as you know, conducts all of its official government business in the Spanish language and already there are about ½ as many Puerto Ricans on the mainland as there are on the island. The state of New Mexico has a population that is about 40% Spanish surnamed and it is not unlikely that before long there will be a strong push in that state to return to having Spanish as an official language something which would not be new there since that state until recently was officially a bilingual state.

What we are proposing here by way of bilingual bicultural education will make it possible for us to be better prepared for the complexity of such demands when they do come and to demonstrate that this government is truly a representative democracy which is sensitive to the needs of its variegated populations.

With this as background and point of reference we can then proceed to define a quality bilingual/bicultural education program as a comprehensive instructional program which utilizes the primary language systems and cultures of the various student groups served as the primary mediums of and bases for instruction in the various subject matter areas while a sufficiently rich cultural and linguistic environment is provided to enable each student to acquire full competency in one or more language systems and cultures. Operationally, this would mean that linguistic and cultural minority students as well as students who bring the dominant language and culture to school would have the opportunity to learn a second language and to develop an understanding of one or more additional cultures. This definition neither obligates a school district to provide linguistic and culturally diverse instructional programs nor does it place a minority culture and language in a subordinate position to another.

It is easy to anticipate that critics of bilingual bicultural education would predict that school districts might be hard-pressed to provide Czech, French, German, Italian, Chinese, Polish and every other conceivable language and culture-based educational program as may be represented in their communities. It is my opinion however, that the Congress has an obligation to provide the leadership of reason in this area and to develop criteria for responding to all of these cultural and linguistic groups for they all represent Americans with full voice and vote and therefore are entitled to the services which best suit their learning and aesthetic needs. This is particularly true however, for those groups for whom the present educational system has been shown to be incompatible and ineffective.

In the amendment specifications submitted by the administration for Senate Bill 1539, the administration, in response to a suggestion similar to this one said that sufficient resources in teachers, materials, models, etc., do not presently exist to provide bilingual education in all essential pre-school, elementary and secondary school subjects for each of the 25 language groups now being served under Title VII, ESEA. They estimated that it would take at least three years of expanded effort especially in teacher training and curriculum development to provide comprehensive bilingual education programs for even the major groups. Their position is that . . . "We do not believe that it would be possible to operate programs of the scope required under this bill for every one of these small groups." Our response to that statement is that delaying action for two or three years until such time as the necessary resources are magically developed is tantamount to an admission that not only do we not have the resources but we are unwilling to do what it takes in order to get them. It also, it seems to me, takes a very narrow view of the *Lau* decision and suggests taking it one step at a time, i.e., only as the courts may order the necessary action will there be a corresponding response. All in all, this seems to represent a posture of poor leadership and initiative a problem which has been well substantiated over the last three decades.

This brings us to the second major point of this presentation which is a determination of the role of the Federal Government in Helping to bring about quality bilingual education programs across the nation to all of these language groups without posing the "undue burden" which the administration feels it would create. In order to do that, it is first necessary to take a cursory look at the type of program and the type of role that the DHEW has taken upon itself in relation to Title VII. Secondly, we have to take a look at the meager resources that are presently available in relation to the monumental job which is at hand. There is no question but that with the $50 million dollar appropriation which presently exists the job cannot be done. But the actual authorization is now $100 million dollars and if we start from there and then add a coordinated effort between the other existing education programs such as NIE, ESA, and EPDA we could begin to look for a productive and exemplary leadership role for the federal government in bilingual/bicultural education.

In Title VII, the federal government has been playing a big brother supervisor to local districts, a supervisor of teachers, project directors, superintendents, curriculum developers,-and of state and regional education entities. And like most supervisors it has been concerned primarily with the details of how bilingual programs are being administered and how closely they adhere to USOE guidelines. There has been very little conceptual, planning and design assistance which are some of the things which many school districts most desperately need. It also presumes of course, that somebody here in Washington knows exactly what kinds of programs are needed for every language group in every community in the nation. And that they also know how these programs should be administered, staffed and evaluated. Without wanting to be overly critical of the competencies of the GS9's and GS11's who do this kind of work, I would suggest that this is a bit much to ask of them.

If the federal government should not be doing that; if it shouldn't be playing instructional supervisor, what should it be doing?

I believe that if the full expectations and the full promise of bilingual education are to be realized, the federal government must address itself to at least three major tasks.

Number one is the development of a long-range plan with specific projections of needs and alternatives for satisfying those needs as well as for the provision of financial resources on a time line which will get us off dead center through adequate research, planning and model development and which brings in the expertise which exists out there in the field. It is very obvious to us now that the very nature of bureaucracies make it impossible for this expertise to arise out of the red-tape factories which we presently have. This would move us away from the pessimistic position that nothing can be done because we do not have the necessary resources and at least give the hope by establishing super-ordinate goals towards which we can all work.

If, in the course of a few weeks, we can develop a plan of action, an Operation Independence, to lead us out of the energy crises, I think we also have the capability to start up a similar operation to address problems which have been staring us in the face for a hundred years.

President Nixon last week proposed that federal aid to education should be based on two year plans so that school districts would know not only how much money they will get this year but also how much to expect the following year. I think that it is a good beginning but it is just that—the barest of beginnings. What we need is a plan for several decades not just for several months.

So another thing the federal government ought to be doing in bilingual education is to become a facilitator. By this I mean that it should assume a support rather than a supervisory role. In curriculum development, teacher training, evaluation and assessment, many schools lack the necessary experience and people resources to do quality work. These districts need money as badly as those who have better in-house program development operations. But in addition, they often have a greater need for advice and assistance in the formulation and running of their programs. And my guess is that at least in the Southwest the majority of school districts particularly in the rural areas fall into this category.

For those districts which have adequate program development capabilities the federal government should provide less direction and more money for there comes a point at which over-regulation and bureaucratic demands can stymie rather than encourage the development of new and creative approaches to bilingual program development.

In this capacity of facilitators, the federal government can play a key role in planning, in research, in model development, in dissemination of findings and models; particularly if it were to make a concerted effort at interfacing Title VII with its other education programs such as EPDA and ESA to develop a comprehensive, impactful approach in which bilingual/bicultural education becomes a major focus in all federal education-aid programs.

It is important to add too that none of us believe bilingual education to be the panacea for the education of all national origin minority children. It is but a necessary ingredient, an element of all efforts to provide equality of educational opportunity for these children. In the same way, we also need a concerted effort at convincing state and local educational entities of the need for quality bilingual programs and the federal government can help us in that regard. Already through administrative directives, such as the May 25th memorandum of HEW, and through federal court decisions, the case of bilingual education is being moved forward. Many state houses are presently considering or have already passed bilingual education measures for their states. In some of these instances the measures provide for high quality bilingual programs with at least some state commitment of funding. In other cases the quality of bilingual education which is being mandated or encouraged leaves much to be desired. In Massachusetts where I presently reside, that state passed a measure calling for transitional bilingual education. In that law, the word bilingual never appears without the word transitional preceding it and I think that that word gives a clear indication of the low degree of beauty, virtue and merit which that one state sees in languages and cultures other than English. If it is transitional it cannot be a quality program. It implies that children should be moved out of that program and into something else at some point. So their language is good enough only to use as a temporary thing. But this is an area unfortunately in which state governments cannot look to Washington for leadership. I believe your attention has been called by other witnesses to the position paper which HEW has prepared and which expresses basically the same posture. HEW also believes in transitional bilingual education and in ESL and is thereby moving us in a regressive direction from where we want and need to go.

Also, we have not had exemplary legislation in Washington so it is difficult for us to carry out an effective advocacy program at the state level without that precedent.

I suppose we could summarize this particular role of the federal government as being the development of an internal capability and sophistication in the conceptualization and promotion of bilingual education. In some areas the federal government has begun to move forward in this respect. We know for example, that NIE has as one of its five major mandates the area of cultural pluralism in education and the funding of research and development efforts in bilingual education. Unfortunately, for reasons which only they can explain to you, NIE has been unable or unwilling to begin this effort and some of us are wondering if what we have there isn't a mere paper commitment.

The point is that the necessary instrumentalities already exist if throughout the myriad federal programs some effort were made at ear-marking a portion of their resources and skills to this area. If this had been done a year ago we probably wouldn't have to be here today. There is a need for research, model development, dissemination, support systems, etc., all of which are within the capability of the executive departments. However, it is not enough to say that they can do it if they only wanted to. Because obviously they don't want to. So we are here again, just as we were in 1967, seeking legislative remedy. In a sense it appears that our people are being victimized by the alleged constitutional crisis which pits one branch of government against another. I am not an expert on constitutional law but it does seem to me that the responsiveness of executive departments is in direct proportion to the urgency with which the Congress expresses its need for action. So if what is needed is set-asides than we must ask you to set some aside, and if what is needed is new legislation than we must ask you to write it and pass it. And then through your powers of oversight to join us in maintaining the pressure on the appropriate agencies to ensure that we build on the momentum which your legislation and the court decision have initiated.

Thank you.

Mrs. CHISHOLM. I know that there are many questions that, the members of this committee shall be asking of you. We can ask questions about the legislation and moneys and what-have-you. There is a point that has not been brought out in your testimony which I would like your reaction to. Despite the fact there is a necessity for monies, despite the fact that it is recognized that in the southwestern part of this country there are close to one and a half million Chicano children not currently receiving the help that they need, do you really believe even if we do get most of the necessary money, that we can really move ahead in the area of bilingualed? I bring this up because I believe in addition to moderate funding we suffer from the melting pot mentality and a lack of sensitivity about the necessity for a complete reversal of curriculum to meet the needs of all of these different kinds of children.

It is my contention that until we get rid of this melting pot theory and realize this country is really a salad bowl of all types of groups who all have a contribution to make that the persons that you mentioned, Dr. Cardenas, who work in NIE and all of the bureaucrats who pull the plans together and developmental approaches and what-not, who have no understanding of the culture, that we still will not be able to move ahead.

Therefore, I am asking all three of you, what is your proposal? What are your suggestions in terms of dealing with these basic problems?

Mr. CARDENAS. I think the situation is cyclic. I think so long as you know people that have racist philosophies, they are not going to allow development of programs and so long as you do not develop these types of programs, you are going to continue with people with racist philosophies. Therefore, as Dr. Gonzalez suggested, I think that the Federal Government can intervene and provide some amount of catalytic action that will change this very vicious cycle in which the minorities find themselves.

Mr. **Gonzalez.** May I add I think another point I tried to make in the latter part of my statement was administrative, judicial, and legislative action is necessary, that attitudes are not changed by new philosophies and ideals that emanate from some ivory tower like perhaps ours.

The May 25 memorandum of HEW that mandates action in the case of national origin children, later accepted by the Supreme Court in handing down its *Lau* decision, the legislation which is coming about in the States which mandate bilingual education, which is in many states now, that is the kind of clout we need. It is comparable to what we had with integration. People have to be hit over the heads sometimes.

I think attitudes will change after the behavior is changed.

Mrs. **Chisholm.** Mr. Fierro, I would like to ask this question of you. I am very pleased you attached a long list of States which have State bilingual programs because we really want to encourage the states to place greater emphasis and resources on bilingual education.

A previous witness, Mrs. Vicente of Massachusetts, pointed out to us, however, those laws mandating bilingual services were not very useful, and would you like to comment on that and the role you believe the local states and national branches ought to play in establishing and maintaining effective bilingual educational programs?

Mr. **Fierro.** I will turn it over to Dr. Cardenas in a few minutes, but I think even if the States' mandates are to provide legislation for bilingual programs, if there are no funds allocated for carrying out those programs, then it becomes a symbolic gesture on the part of the States. That is the reason I included this summary, because in many States it is a symbolic gesture to appease communities for the need of bilingual education and unless that, well, that is the reason we are pushing hard today for a stronger role from Congress and the Federal Government to begin to initiate that effort in order that the states begin to comply and at the same time to begin to not only symbolically pass legislation, but also put the dollars that are going to be needed there to carry out the functions.

Mr. **Cardenas.** For many years I got involved with the presentation of the *Rodriguez* case in which the school system of Texas was found to be unconstitutional. The decision was reversed by the Supreme Court on the ground of constitutionality and not because of the lack of the existence of a problem. In the *Rodriguez* case the Court for the Western District of Texas, Federal court, found that the allocation of moneys for the education of the minorities was really less than what the white and Anglo-Saxon child was receiving.

Subsequent research done by my organization, Texans for Educational Excellence, had documented and substantiated this claim. In the State of Texas the Mexican-American child received less money for education than the white Anglo child. The black child in the State of Texas received substantially less money for education than the white Anglo child. In other words, we are not even given an equal piece of the action to expect the State of Texas to fund special programs for the minorities when they don't even fund the regular school programs, so it is too much to hope for.

Of course, we do recognize that the problem is a national concern and that regardless of what the State of Texas does about it, that the Federal Government cannot tolerate the waste of these resources. We also see the educational programs in the State of Texas being found violating civil rights, in the case of *U.S. v. Texas*. Therefore, I think, though I agree with you, that the States have to make an effort, overture to the Federal Government and we are turning to the Federal Government because of the inability or unwillingness of the States to do so.

Mrs. Chisholm. Thank you.

Mr. Quie.

Mr. Quie. Thank you, Madam Chairman.

One thing I noted from the testimony of two of you is that the Spanish-speaking population is increasing, nearly twice as fast as the English speaking, which really does not say very much, because the population increase of the whites is not increasing very much. I think more significant is that the Spanish-speaking children in school increased at a rate almost four times greater than the national average, which speaks a great deal.

If that rate continues, how long will it be before there will be more Spanish-speaking people in the United States than there will be English-speaking people?

Mr. Gonzalez. We have not gone that far in our calculations, but certainly within the next 10 or 15 years there will be more Spanish speakers in the hemisphere and in New Mexico it is already 40 percent and Texas is about 20, I suppose.

Mr. Quie. What if the rate continues in Texas and New Mexico and they reach something more than 50 percent, will then their political clout be such that they can switch it so it will be Spanish as the second language rather than English as a second language?

Mr. Gonzalez. I personally hope for that.

Mr. Quie. I gather that the States just are not interested in doing the job and that is the reason why there is not that kind of aid for them in the schools. We took care of those ethnic groups up in Minnesota back a long while ago and they are all talking English now.

I understand that 11 of the States have 80 percent of the bilingual students. Now, is it just a political problem, if there are more white than non-English-speaking people and that is why they don't provide the kind of education the children need?

Mr. Fierro. I think one of the concerns expressed repeatedly through the hearings and from Members of Congress is the involvement, for example, the Spanish people, the bilingual education programs are primarily geared for Spanish people and as they learn English they drop the programs. I think many of the other ethnic groups have not seen the advantages contained in the bilingual programs and I think this is one of the reasons for us being here today, to provide you with the kind of information in terms that other groups in this country that have similar or like problems that we have in our community, that they can also benefit from that.

Mainly, I think that Members of Congress have not been that committed to bilingual education in this country and as a result we find very few States having these programs.

Mr. Quie. Unless a group of people live together where they speak in a language different from English in everyday life, their language won't remain. Take, for example, Latvians that came to *this country* after World War II and were spread around. Finally they came together in a place in Minneapolis, but they were not large enough a group so that their children would retain the Latvian language and they are all English-speaking now. There has to be a larger group than that. Spanish-speaking and orientals are really the only groups that are large enough, are they not, where the next generation learning English does not come automatically.

Mr. Cardenas. No, it does not. The primary reason for that in the case of Spanish is not only the increasing growth, but also the proximity to the country or origin of either the parent or grandparents. For example, 2,000 miles of water along the Texas-Mexico and United States-Mexico border and, of course, the flow back and forth between Puerto Rico and the flow of immigrants from other Latin American countries, its numbers and proximity, there is no way to expect the Spanish population will become monolingual English-speaking.

We have the only group that has a fresh reinforcement almost daily.

Mr. Quie. That is the point I made, that you can't talk about other groups as continuing because they will be English-speaking in the next generation, but the Spanish people will continue, because, as you say, they are reinforced?

Mr. Cardenas. Also, Mr. Quie, in addition to the on-going immigration and movement toward this country, that increases and strengthens the cultural ties with the mother country and, in addition to the geographic proximity also, you have to keep in mind in this country there have been preferred minorities and nonpreferred minorities and the Mexican-Americans during the time in which they were interested in assimilation were prohibited from doing so and they were barred and discriminated against and were prohibited from assimilating.

However, it is interesting to note that some of the preferred minorities are now looking at what they gave up in terms of cultural ties and traditions and folklore and are now starting to look into strengthening some of the cultural background and language that they had when they came to this country. I was in Wisconsin a few weeks ago and some Danes over there expressed a tremendous interest in bilingual education and hoped the schools would be able to teach their children the language they lost several generations ago.

The Polish community, for instance, in Texas and elsewhere, has been very interested now in reviving some of the cultural ties of that group.

Mr. Quie. I recognize that. We Norwegians kept our culture alive by organizing Norwegian Colleges. You don't have to worry about Norwegians. They took care of themselves and other Scandinavians as well. If there is going to be any retention of the culture of the Spanish-speaking people, it will be the Spanish-speaking people themselves, not somebody else retaining it.

Mr. BELL. Will you yield?

Mr. QUIE. Yes.

Mr. BELL. I also wanted to say—I think you will agree—that in Europe, the youngster in Germany learns French, German, and English, and in France they learn English and German. In Italy, it is much the same way. There are reasons besides the influx of population. There is also the reason of diplomacy and working together and understanding one another. We have a comparable situation, I think, with Mexico and the so-called Latin American countries where so much of the language is Spanish.

I think it comes naturally for us; perhaps we ought to be thinking of doing the same thing.

Mr. QUIE. I would say the countries of Europe are like States in the United States and I have not seen anybody from France or Germany or The Netherlands saying that NATO or the Common Market ought to fund the bilingual education for them either.

Let me ask Mr. Gonzalez. I think you mentioned that the Federal Government should not play a supervisory role, but should have a supportive role, am I correct?

Mr. GONZALEZ. That is correct. I was going to add later on in my talk that it is very difficult for someone sitting in a bureaurucracy in Washington, although their intentions may be great, to be able to ascertain exactly what the needs are in a Norwegian community or Chinese community or Chicano community from here from its perspective to design programs and to supervise the way they run and offer conceptual and design kinds of needs those programs have.

So I think a support role that encourages people to design them out there in the field would probably be more useful in many instances. Now, there are cases where schools do need assistance and in that case again a support role, because there is a lot of expertise out there in the field, which could be mustered to help them.

Mr. QUIE. Are you saying then all the need is money?

Mr. GONZALEZ. There are some school districts that basically would be true, that all they need is money, but then there are many others who don't. They need a lot of assistance.

Mr. FIERRO. Congressman, I think you put the question in terms of, you know, "Do they need money?" Yes, they do. How can you expect—well, right now the population being served has this situation.

Mr. QUIE. I didn't ask if they needed money or if they all need money, rather they don't need anything else but money.

Mr. FIERRO. They need more increased appropriations and more appropriation for teacher training, in terms of providing programs for developing and training teachers. For example, the EPDA program that was funded out of OE, they have stopped that program on the basis there is an excess of teachers. Well there is no excess in our community whatsoever. On the contrary there is a tremendous need that we have.

As I indicate in our testimony, we look at the districts and number of teachers they have, the kind of teachers, the bilingual teachers, and you see the tremendous need and there is a need for increased appropriations.

Mr. QUIE. You are saying there is not an excess of teachers who can handle bilingual Spanish education, which may very well be true. Why haven't the Spanish-speaking people gone into the teaching profession to the extent that is needed?

Mr. CARDENAS. Because it requires an education to go into the teaching profession. Again we have another type of cyclic situation. The Spanish-speaking have a very poor attendance rate at the college levels. You have very few Spanish-Americans attending college because the funds are just not available and also the elementary and secondary schools have done such a poor job of educating them they can't pass the college entrance examination and other barriers placed before them.

So, as a result, the number going to college is very, very small and they cannot fill their needs. I think much of the EPDA legislation was helpful in getting many Spanish-speaking into college and if the teacher looks bright, this type of support will have to be continued.

Mr. QUIE. But the money that was available for students to go to college was available to all students, so there was no discrimination against Spanish-speaking children, I don't believe.

Mr. CARDENAS. I would say there was a lot of discrimination.

Mr. QUIE. There was?

Mr. CARDENAS. Yes, sir; I think in the administration of college entrance programs there was a lot of discrimination.

Mr. QUIE. How is that?

Mr. CARDENAS. I think that millions of poor Mexican-Americans and other minorities were not recruited by the colleges and a lot of money, when made available by the Federal Government, did not go towards the type of clinetele the money was intended to support. I think this is characteristic of all Federal programs. I think money goes in all directions, the administration does not do an adequate job of supervising the adherence to guidelines for the types of programs that are being funded and I think a lot of the money goes toward things not intended in the legislation.

Mr. QUIE. That reminds me of a Norwegian that went to visit with a friend and when they were invited to dinner, the Norwegian didn't go. When his friend asked him later, "Weren't you hungry?" and he said, "No, they didn't drag me there."

Mr. CARDENAS. There were millions of people whose ancestors spoke Spanish for hundreds and thousands of years with no ill effect and it is strange that the only people for whom Spanish-speaking people is a detriment is people living in this country, so there has to be something there. You know people from Mexico and Latin America can go to college and succeed, but ours can't.

Mr. QUIE. I hope what I said does not imply that Spanish-speaking people cannot do as well as anyone else because I am one that does not believe that one's race or language or religion or anything like that has anything to do with his ability to achieve. If that person does not fare well on the test, it is not an indication of whether or not he can achieve, so I am completely in accord with you.

I recall when Harvard had its program for geniuses. They thought they would have one nongenius in the group to see how he fared. He turned out to do better than the geniuses did because he was motivated to beat the others. I think what you mention, that motivation is a problem and also I agree that the reason they can't go to school is they had an inadequate and inferior elementary and secondary education. It is very difficult to overcome that.

Now, I am just upset that a State like Texas, which has had a substantial natural resource to use for education has not done it and provided that education for its children, Spanish-speaking children, in CAP. In Minnesota we have iron ore, though we don't have it the way we once did. The companies mining the iron ore and some of the steel companies, put a tremendous amount of money into education in northern Minnesota. As a result we saw Yugoslavs, Serbs, and Finns who could not speak English have their children go on to get professional degrees. They made that in one jump.

I recognize they did not suffer the problems that Spanish-speaking persons do or Chinese or Blacks do, because you can't tell a Serb and a Yugoslav and a Finn from anyone else once they learn the language completely. I know you can't entirely with Spanish-speaking persons either, but there has been a situation in this country where they have been held down and I think we need to assist in a way that they no longer are held down, but encouraged to move ahead. They need some extra help and that inferiority which has been pushed on them by the white population should no longer be an onus on a child.

Mrs. Chisholm. I hate to interrupt, Mr. Quie, but there are others with other meetings that want to ask questions, too.

Mr. Fierro. Can I mention one thing?

Congressman Quie, on May 2 to 4 there will be a bilingual educational conference in Mc Allister because of a need that the people in the State feel they have in terms of the Spanish-speaking population and they are having a conference specifically to find out what can be done to assist them in developing programs in bilingual education.

I would encourage or invite you to the conference.

Mr. Quie. If there is a need in Minnesota, there really must be one in Texas.

Mrs. Chisholm. I have one brief comment. This question about the Serbs and Norwegians and all of the other groups really making some of them going to college and so on and so forth, I think it needs to be said for the record that although this country is composed of all kinds of people, there is one basic passport that many of the groups have had to American society, even though they came from abroad, which Spanish-speaking groups and some of the others didn't have and that passport, whether we like to hear it or not, was a white skin. That white skin had a great deal to do with it.

Mr. Bell would like to ask a question.

Mr. Bell. Madam Chairperson I don't want, to belabor a point. However, I do note that in the European states, they have special teaching in Germany paid by the German Government for French as well as English, and the same way with France. In Finland, they even have street signs bilingually in Finnish and Swedish. In Russia, they are teaching special language courses. I was over there recently and that is what they are doing, having special courses, and even schools, for foreign languages.

I think the world is getting smaller and particularly the importance to us of Latin America is great. Their importance to us should become greater and I agree with the panel that we should move in this direction more rapidly than we are.

I thank you for your strong support in this critical education area. You expressed your support for provisions of S. 1539 on bilingual education, and, as you are well aware, the Senate bill goes far beyond the House version.

As we go to conference, and we are going to conference, we hope soon, would you express which of the several Senate provisions in your thinking has the highest priority to you and to your group?

I would like comments from all of you on this, if you care to.

Mr. FIERRO. I would think to increase authorizations. The first priority would be teacher training provisions contained in the legislation. The expansion of the philosophy of broadening the concept of bilingual education and the development or establishment of a Bureau for Bilingual Education. I would put those three priorities at the top of the legislation.

Mr. BELL. Mr. Cardenas.

Mr. CARDENAS. I will go along with Mr. Fierro.

Mr. BELL. Mr. Gonzalez.

Mr. GONZALEZ. I am hard pressed in terms of priorities because, as I look them over, they are all so terribly, terribly important. I tend to teacher training and provision of fellowships for people who do advance work in bilingual education at the university level as something which needs to be done, but of course my main argument is the definition and working toward a concept and dissemination of ideas so we can get other people to buy into it as critical.

Mr. BELL. As you know, conferences are made up of a number of people from both Houses and you don't get everything you want, so you have to think about priorities.

Mr. FIERRO. I sincerely hope that bilingual education is a priority with this committee and all of the Congressmen will make every effort possible to make sure all of these provisions are contained in the final bill.

Mr. BELL. I want to thank you, gentlemen, for your very excellent testimony, Mr. Fierro, Mr. Cardenas, and Mr. Gonzalez. Thank you for your testimony and I hope to see you again.

Mr. CARDENAS. I would like to thank you, Mr. Bell, for an idea you just planted in my head and something we might always think about. You mentioned funding by different governments. As the Spanish-speaking countries of the world become more fluent, maybe it might be a good idea for us to look for some foreign aid for bilingual education in this country.

I hope it is not necessary, however.

Mrs. CHISHOLM. Mr. Badillo.

Mr. Badillo. As long as we are going into the foreign situation here, Mr. Quie's analogy of NATO, of course, is not applicable, because we are talking about American citizens. But it does raise in my mind perhaps an interesting parallel between what would have happened to the Norwegians after they were conquered by the Germans, assuming that the United States had not been able to win the war and the Germans had gone in and they would have insisted that the Norwegian language be made illegal and that all courses be taught in German only, as happened in Puerto Rico when the United States defeated Spain in 1898, and as happened in Texas, California, and Arizona when the United States won the Mexican War.

Don't you think that that would have given the Norwegians a great deal of difficulty in being able to keep up with the Germans, especially if all of the teachers were German and especially if there was an attempt not only to try to suppress the Norwegian language in the schools, but in the entire culture. Do you think that perhaps is a better analogy?

Mr. Quie. I would say to my colleague, if you will yield, that it was not until 1917 the Norwegians got their independence back then.

Mr. Badillo. I am talking about the Second World War, to bring it more up to date. The fact is, that what we are talking about here has been a systematic attempt to wipe out a culture. When you asked specifically about discrimination, I am sure you know American history as well as I do. Up to very recently the use of the Spanish language in the schools was prohibited and that was a fact in the United States of America. When the United States took over Puerto Rico, they prohibited the use of Spanish in the schools and it took a long time before the Puerto Ricans were able to get the schools to go back to speaking Spanish.

Of course, the United States found out that that kind of policy didn't make too much sense in trying to rule a country or a society, and now we are beginning to bring out that American citizens, whether they are in Puerto Rico or in Texas or California, are entitled to demand that the language of their choice be used in their schools. The Federal involvement here is because the question came up originally as a result of Federal intervention and particularly as a result of the Federal wars with different countries.

So I think that that makes it an entirely different situation from those who voluntarily come over to the United States as a migrant group, because we are talking about people who were living in their own countries and who still are living in the countries where they have been living for several centuries.

I would like to ask you, Mr. Fierro, because you mentioned the amendments to bilingual education that you recommended and these are precisely the amendments I have brought into the record and which I intend to propose today when we have the renewal of debate on H.R. 69.

Would you be willing or would you accept an agreement between the members of the committee and the chairman and me that, in view of the fact that it is only now that we are beginning to hold the hearings, actually we should have had them much earlier, but weren't able to do it, that these amendments should be given full consideration in the debate or in the conference between the Senate and the House.

If the chairman made that commitment, would it be satisfactory?

Mr. FIERRO. I do and I am sure along with the chairman's commitment goes Mr. Quie's commitment to support and give all consideration to these amendments in the conference committee. We certainly do.

Mr. BADILLO. Thank you very much.

Mrs. CHISHOLM. Mr. Meeds.

Mr. MEEDS. No questions.

Mrs. CHISHOLM. Mr. Benitez.

Mr. BENITEZ. I would like to recall some things in the previous testimony because it bears or throws some light on the innuendoes on the part of the discussion of the testimony.

To remind the members of the committee a few weeks ago Congressman Cohen from Maine was here and he testified that in Maine the French students and the descendants from French parents coming from Canada were tested on their intelligence quotient and it was discovered they were retarded and also that they were 2 and 3 and 4 grades below normal and that they were underachievers and a high percentage of dropouts.

I just mention this to advance the fact that the question of underachieving under modern conditions in the schools is not necessarily restricted to Spanish-speaking persons, but any other group, ethnic or linguistic, that finds themselves in similar situations. We will be hearing from the Indians in a minute.

Now, the second point which I would also like to bring out, which has been discussed here, pertains to the importance of those cultural reassessments and change of folklore and a cultural revolution with regard to the propriety and, even more important, the desirability and convenience for the United States of broadening the linguistic resources approaches and cultural approaches to be in tune with modern cultural realities and basic commitments of the United States.

Now, *Lau* v. *Nichols* to basic education is fully as important and perhaps culturally more consequential perhaps than the *Brown* case. But it must be seen in the same light, I think, that unfortunately the movement of human equality in the United States would not have advanced as it has, although it is still very far from any approximation to what it must be, had it not been, through a basic change in the approach of the black group itself and the black leadership and a disposition to reject the attitude that one is asking for favors, for grants, rather than basically asserting and demanding some fundamental human rights, and it is sad, but it is perhaps an inevitable consequence that excesses have been in a sense necessary to shock the Nation into the awareness of the heritage of injustice, a situation in which it was indispensable to act.

I will now say that really unless this problem of linguistics and the legitimacy of such a basic approach, that unless appreciation sinks through to the Spanish-speaking people or Chinese or the French or the German people and throughout the relationship, it will be quite ineffective to expect that this type of paliative arrangement will be sufficient or adequate.

Now, I come to the quarrel I would have, not quarrel, but it is a basic difference in approach that I have with the otherwise excellent testimony of Mr. Gonzalez. I think this, that unless the Federal Government takes a leading and significant ~~and~~ aggressive position in this context, which does not mean that it should not exist, as it were, in the cities or in the States, but unless that happens we will not be successful at all because I would think that in spite of deficiencies and failings, the Federal Government is the ultimate source of redress of the citizen's rights and of the initiative and responsibilities for reassessing, reorienting, and establishing some basic standards for the success of the nationality programs.

Mr. CARDENAS. Before he responds, let me make this comment, Congressman. Several people this morning have already made the association between the *Lau* v. *Nichols* case and its significance to cultural pluralities and linguistic pluralities and to *Topeka* v. *Brown* and its effect upon desegregation.

I would like to point out to members of the committee that this month we celebrated the 20th anniversary of *Topeka* v. *Brown*. Twenty years ago the Supreme Court ordered the desegregation of American schools. Since that time there have been children that have been born, have been enrolled in schools, have dropped out of schools or graduated from schools and have not seen a desegregated school system.

I would trust that in the case of *Lau* v. *Nichols* that the Congress of the United States would put sufficient backing and resources and clout into the implementation of these bilingual and multicultural programs or else 20 years from now we are going to be talking about the *Lau* v. *Nichols* case with nothing being done in the schools.

Mr. BENITEZ. I agree fully. I think a great deal has been done, but I must say that my heart is heavy with sadness and regret and I must say with despair when I heard yesterday on the floor of the House the defense of the antibusing program and even its incorporation into the educational bill. It is one of the most sad and distressing things, that we have to fight this fight every day in order to protect white America, because basically the maximum harm that is done to the society is done to its own leadership and by its own leadership, and I must say that all members of this committee are fully sympathetic with both of these extraordinary contributions of the judicial system, which, strangely enough, has taken the initiative on a bill which is decisively executive and legislative, but I would like to hear from Mr. Gonzalez.

Mr GONZALEZ. I am saying we are not in basic disagreement I see two kinds of leadership roles for the Federal Government, one in the area of administrative directives, in the area of enforcement of the rights of citizenship. I agree wholeheartedly that this must be continued and accelerated. The reference I had to the supervisory role of the Federal Government was in the design and philosophy of the programs themselves in the local communities and I think we do have to talk about a national philosophy that recognizes linguistic and cultural differences and says this is an OK kind of thing to do and we push it and promote it.

But the resources of the bureaucracies, I think, could be best used if they provided support, and I am talking about the Department of Health, Education, and Welfare, USOE in particular, for development of programs rather than looking over people's shoulders as to how to run those programs. I agree with you, again, the enforcement and pushing and prodding and hitting over the head has to be done by the Federal Government.

Mr. Benitez. Yes, but on this point I just wanted to make certain that aside from the question of supervision and the question of personnel, if you have at the national level a center of research and of study and of analysis and of discussion, it is very important to assist in avoiding excessive duplication of effort and to achieve standards of excellence which are always singificant and for which oftentimes the central basic organization is indispensable.

Mrs. Chisholm. Thank you very much, my distinguished friends.

Mr. Gonzalez. Thank you.

Mrs. Chisholm. We are going to have as our next witness Mr. Bill Roberts from the Coalition of Indian Controlled School Boards from Denver, Colo., and Congressman Meeds, a very distinguished member of this committee, will introduce Mr. Plummer, Ramah Navajo Indian High School, Ramah, N. Mex.

Mr. Meeds. Madam Chairman, thank you. I do not know all of these people, but I am sure the committee will be gratified to have Mr. Roberts, accompanied by Mr. Plummer. The Coalition of Indian Controlled School Boards is an organization which functions as a representative of the school boards and schools which are controlled either by contractor representations or Indian members on school boards, which surprisingly is a somewhat innovative process in Indian education, Madam Chairman.

Until not too long ago the Bureau of Indian Affairs ran all Indian schools, asked no questions of parents or Indians but did, as they had done for years and still continue to do in some instances, what they thought was best for Indians, not necessarily what Indians thought was best for themselves.

The advent of Indian Controlled School Boards has changed much of this. In the hearings for the Indian Education Act, we were fortunate indeed to have visited several Indian controlled schools and the difference between these and those which were controlled by the BIA, which we also visited, in many respects was the difference between day and night, particularly the interest of the people involved in their own education process.

So these people will bring us a great deal of what is new in Indian education, because that is where it is happening in the kinds of schools they represent. Delighted to see them here, Madam Chairwoman.

Mrs. Chisholm. You may proceed.

STATEMENT OF BILL ROBERTS, CO-DIRECTOR, COALITION OF INDIAN CONTROLLED SCHOOL BOARDS, DENVER, COLO.

Mr. Roberts. My name is Bill Roberts and I am a sioux Indian from Montana and currently the co-director for the Coalition of Indian Controlled School Boards which has been introduced or discussed somewhat by Congressmen Meeds. We are a national organization and are deeply concerned with the education that our children have or are receiving. We feel that we can improve the educational process by involving parents, consequently we have now seen the formation of about 110 different organizations all interested in education.

I might add that some of these are not all school boards, although we have in this country about 36 different Indian controlled schools and a number of them are advisory committees and tribal education committees that are all interested in bettering the educational process.

My understanding is these hearings will address not one particular bilingual bill, but, in general, the overall bilingual educational provisions. In doing so I feel it is imperative that we do lay down several principles when we discuss the bilingual needs of Indian children.

As Congressman Meeds stated, I am accompanied today by Abe Plummer, vice president of the Coalition of Indian Controlled Schools; Mrs. Bertha Lorenzo, vice president of the Ramah Navajo School Board; and Bessie Begay, employee of the Ramah Navajo—or a member of the Ramah Navajo School Board. At this point I would like to call on Mrs. Lorenzo to address the subcommittee.

STATEMENTS OF ABE PLUMMER, DIRECTOR, RAMAH NAVAJO INDIAN HIGH SCHOOL, RAMAH, N. MEX.; BERTHA LORENZO, VICE PRESIDENT, RAMAH NAVAJO SCHOOL BOARD; BESSIE BEGAY, SECRETARY, RAMAH NAVAJO SCHOOL BOARD

Mr. Plummer. I will translate for Mrs. Lorenzo after she makes her presentation.

Mrs. Lorenzo [in Navajo].

Mr. Plummer. Madam Chairperson and members of the committee, we appreciate being here to speak to you and to make pleas to you on issues regarding bilingual education. In our case the Ramah Navajo community asked for and needed education for as long as we can remember. Education was promised to the Indian people, specifically the Navajo Nation in 1868 when the Government signed a treaty with the Navajo Nation wherein, among other things, they promised education or specifically a classroom and a teacher for every 30 students.

The Government did not keep its promise. The Navajo people kept its promise by being peaceful. There are 1,500, at least 1,500 residents in the Ramah Navajo community. From this there are a number of students who are not being helped insofar as education is concerned. For many years our children were forced to be away from home 9 months out of the year, causing family fragmentation, causing the kids to lose their language and their culture.

We never knew at that time exactly what our children learned, because they were away so many months of the year.

Five years ago the Ramah Navajo community took over their own educational program. This move brought the children back. I am a grandmother and I have grandchildren in our school. I teach my grandchildren and my children our language, our culture, our traditions. I went to school myself and had some formal education, so I am able to use the English language some. However, most often I use the Navajo language.

When I make comparisons between the English language and Navajo language, I come to the conclusion that what the non-Indian people or the white people, they have perfected their language to an extent that they can use their language for promotional gains and so forth, where our students cannot handle English as maybe the white children can. But by the same token, we also can use our Navajo language that can lead our children to become aware of many intellectual discoveries and also they can use their native language in making promotional gains and economic and social development.

At Ramah, for the past few years, we had the title VII or the bilingual education program. We feel that our children have made gains from such a program. We also feel that parents are becoming more and more involved in the learning processes of their children and of themselves with the participation in this program. However, we feel that a 5-year program is not enough, especially when a group such as ours has gotten a late start.

We ask this committee to consider extending the Bilingual Education Act and also the amendments that are being proposed so that we can continue in our struggle to perfect our language and also develop the materials that are relevant to our educational system.

Mrs. CHISHOLM. Thank you.

Mr. ROBERTS. Madam Chairperson, we also have a statement by Mrs. Bessie Begay.

Mrs. BEGAY. Madam Chairman, members of the committee, I am Bessie Begay, a Navajo, a member of the Ramah Navajo School Board from Ramah, N.M.

In the support of continued bilingual education I would like to state we need to continue the bilingual education for the reasons are many. I am one of the many Indians whose parents have never received formal education. I am the first generation, like many, to receive some formal education. In our BIA boarding school, which took me 14 years to complete 12 years of education, for I was not able to comprehend as fast and as completely in a foreign language that I was learning, for I was forbidden to think, speak and use my first language and culture.

Now through experience we know we need to fully understand our first language and culture in order to comprehend the universal language. Therefore, it is a need to begin to understand, develop and include bilingual education. It is not something to experience for 5 years, but to recognize the need to continue the program for the present and the future generations.

We have learned that we cannot separate the two cultures and language of our people, for it only hinders the learning abilities. Now our objectives and goals are to teach our children to move in both societies rather than one, to be fully educated. It is a challenge, but it is the right direction.

We need your understanding and your support to reach our goal by continuing bilingual education.

Thank you.

Mrs. CHISHOLM. Thank you.

Mr. ROBERTS. Madam Chairperson, there are several things that I wish to point out when I talk about the bilingual educational needs of Indian children and other native Americans and our people.

In the move toward community control we have experienced problems with the bureaucracies for which we are concerned. Within the Bureau of Indian Affairs it has in the past been the conduit for community contract schools. That was primarily because the Office of Education does not recognize community contract schools as local education agencies. During this experience we have also noted that the Bureau of Indian Affairs is not the agency to deal with educational problems of Indian children.

We have seen, well, you know, it is very difficult to talk about this.

Mrs. CHISHOLM. All right, take your time.

Mr. ROBERTS. But for reasons of political expediency and manipulation by tribal chairmen, they have taken successful contracts out of the hands of the groups that were succeeding. On this basis this was done. I might add that the Deputy Commissioner of Indian Affairs and Commissioner of Indian Affairs had both directed the area direct to renegotiate the contract. I have included a news article as an addendum.

We also—or I also would like to point out that in 1973 there were 16 projects in 20 locations serving 3,386 children. We also have statistics compiled by the Office of Education which point out there are 250,000 Indian children in public schools, private contract schools and mission schools.

I have found out. I have also been informed that this year something like four out of 18 will be funded. The reason for this is that there is no money. I might say that although we are a very small minority, that we also have some very distinct educational needs. There are 250 different dialects in this country, 50 linguistic stocks and 6 major language groups and families, and for this reason we feel the bilingual education needs of Indian children are just as great as those of other minority people.

I would also like to say that many of our languages are not developed and restricting program development to 5 years seriously retards the development of bilingual programs for Indian people.

The teacher training needs, which are very prevalent in such a diverse situation, are great. Within the Bureau of Indian Affairs there are something like 2,100 to 2,300 teachers, and of this only 210 or 230 are Indian teachers, and even these teachers may not be in it—well, they might not be in their home community, so to speak. They could be, say, a person from the Choctaw Nation could be at a Navajo location and vice versa. This is the civil service thing we have been fighting.

Many of these teachers do not have training as bilingual educators. In fact, many of the non-Indian teachers that go in have clashing philosophies from that of the community and, consequently, are not adequate to deal with the bilingual education problems of Indian children.

At this time I would like to turn the platform back to Mr. Plummer for some remarks he has.

Mrs. CHISHOLM. All right, Mr. Plummer.

Mr. PLUMMER. Thank you, Madam Chairperson and other members of the committee.

American Indians appreciate the Bilingual Education Act. It is a positive piece of legislation which has recognized the importance of using our language, native languages, and our culture as effective tools to motivate Indian students and reinforce learning skills and the translation process from Indian to English.

We have here our statement that is before you and we are making the summation and I wanted to read a particular section of the paper wherein we say the American Indians appreciate the Bilingual Education Act, but that it is not enough. We feel that we need—or we don't just need money, but we need legislation and hopefully this committee will take this into sincere consideration and give us legislation that will enforce the guarantees that were given to us by the Civil Rights Act of 1964 and certainly by the U.S. Constitution.

The gentleman, prior to us being here, mentioned the *Lau* v. *Nichols* case. I think they were saying that they hoped *Lau* v. *Nichols* does not sit idle as maybe the *Brown* decision has for the past 20 years. We interpret the *Lau* v. *Nichols* decision as being an edict to this country to recognize all of the native languages that there are in this country. This comes from a state that has compulsory education laws, like our State of New Mexico, or Arizona, with English proficiency being a prerequisite to high school graduation.

Opponents of bilingual education say, "Teaching and learning native languages in schools is useless and illogical when one already knows and speaks the language." That is just like saying to them, "Why teach English? You already know and speak it, but yet English is being taught as a requisite for generally 16 years in one's life.

We ask this committee to recognize and to appreciate the native languages that we have in this country and I wanted Mr. Quie to hear our testimony, because I don't think he has gone through the same experiences as we have when we have been beaten to a pulp many times over and it is pretty damn difficult to get motivated after you have been beaten down so many times, especially if one has a darker skin and is constantly being picked on.

The point is school systems today do not build on what is already known by a bilingual or bicultural student. Instead, they create states of ennui and confusion by throwing human beings into just blankness.

We appreciate this opportunity, Madam Chairperson and members of this committee, and we make this plea to you today, that bilingual education be continued, because we feel like I am sure the great Navajo head man felt, Manuelito, when he said, "My children, take the ladder. See what the white man is saying and then speak better than he."

We accepted that challenge many years ago. Five years ago Ramah Navajo people accepted the challenge and they said:

> We will build our own educational system if nobody else does it, because our great Navajo leader said, "Take the ladder, learn his language and then speak better than him."

We are sincerely appreciative of this opportunity and we trust that you will join us in this challenge that our great Navajo head man gave us.

Mrs. CHISHOLM. We desire to thank all of you on the panel for coming here today and enlightening us, clarifying for many of us some of the problems that some of us already know you have encountered. To me personally this is a very sad day in American history.

I would like to ask just two quick questions because we have one more person to appear this morning and have not too much time. Mr. Roberts, as I understand it, the coalition schools are having quite a problem because they are neither BIA schools, Bureau of Indian Affairs schools, nor do they currently qualify as local educational agencies under ESEA. What suggestions do you have to remedy this situation?

Mr. ROBERTS. My suggestion, Madam Chairperson, would be that the 13 contract schools that are operating throughout the country be recognized within the legislation as LEA's, so that funds can go directly to those schools, rather than having to be routed or channeled through the Bureau of Indian Affairs.

Mrs. CHISHOLM. All right. My last question is this: Either yourself or Mr. Plummer may answer. As you know, the proposed guidelines on bilingual education would terminate funding after 5 years. Mr. Ottina, Commissioner of Education, alleges that the State and local communities will be then better able to pick up costs of the bilingual education proram.

In terms of my understanding of the Navajo education groups, there is not enough or local state taxation for you to do it and what effect will it have on the Indian education programs? You see, the Administration is suggesting that these programs should be terminated after 5 years and that after said termination the local community, will be able to finance them. I want to know what effect this five year termination rule will have on Indian education programs?

Mr. PLUMMER. The effect will be very detrimental, Madam Chairperson. As Mrs. Lorenzo pointed out earlier, for a group such as ours, that is already, you know, getting a late start, termination of such a program is just going to put us that much more behind, because, as you point out, the reservation people do not have a tax base. We are dependent on either State moneys or the majority of our educational money is coming from Federal programs.

So it will have a drastic effect on the Indian educational development.

Mrs. Chisholm. Thank you.

Mr. Meeds.

Mr. Meeds. Thank you, Madam Chairperson.

I thank all of the witnesses for their testimony. I just have two quick questions. How many Indian students are in rather serious need of bilingual education? I say "serious need." You must understand that we might have some, and indeed we will have some choices to make, some priorities to establish, and while I would like to see bilingual/bicultural programs over the entire United States for every person who needs such, there are degrees of seriousness of this matter. I am aware that, for instance, on the Navajo reservation many of the young Navajo children go to school not understanding English at all, or very little. But that same thing does not happen with the Lummi child on the reservation near my home, because English is spoken more there.

So my question is then, in rating of seriousness, how would you rate the Navajo situation and the Lummi situation, which I described, the former being serious and the second being not quite as serious?

Mr. Roberts. Congressman Meeds and members of the subcommittee, I believe in 1969 the Senate report entitled "Indian Education, a National Challenge a National Tragedy," pointed out bilingual needs of Indian children and although I have not looked at these figures for some time, I believe that they stated in there that 55 percent of all Indian children go to school without any knowledge of English, that something like 20 to 25 percent have limited knowledge of English, of the English language, and only about 5 percent were actually fluent in the English language.

I don't know that these are accurate. The records are available.

Mr. Meeds. Most of those would be, of that 55 percent, would be the Navajo area and in Alaska, would they not?

Mr. Roberts. Pretty much so, although we have this situation.

Mr. Meeds. Say 80 percent of the 50 percent, would you say?

Mr. Roberts. I could probably go along with that projection, Congressman.

Mr. Meeds. And there is a very serious need in those areas for bilingual education because children are going to school with almost no comprehension in the learning language, is that not correct?

Mr. Roberts. This would be correct.

Mr. Meeds. Many places in Alaska and in the Navajo Reservation.

Now, Madam Chairperson, I would like to ask unanimous consent that the prepared statement of Mr. Roberts be made a part of the record at this point.

Mrs. Chisholm. It shall be made a part of the record.

[Statement follows:]

STATEMENT OF WILLIAM T. ROBERTS, CO-DIRECTOR, COALITION OF INDIAN CONTROLLED SCHOOL BOARDS

Mr. Chairman: My name is William Robert, a Sioux Indian from Montana and currently a Co-Director for the Coalition of Indian Controlled School

Boards, Inc. The Coalition is a national organization whose membership is made up of some 110 school boards, Parent Advisory Committees, Tribal Education Committees, and Indian organizations in twenty-five (25) states. The emphasis and primary goal of the Coalition is toward the betterment of educational structures which affect Indian people. As Co-Director of the Coalition, I wish to extend the greetings of the general membership and appreciation for the invitation to add our insights to these hearings.

Our understanding is that these hearings do not address any one particular bilingual act but address, in general, the overall provisions of H.R. 1085, H.R. 2490 and H.R. 11464. In doing so, I feel that it is imperative to establish several principles when we discuss the "bilingual needs of Indian children."

I also am accompanied today by Abe Plummer, Vice-President of the Coalition of Indian Controlled School Boards, and Mrs. Bertha Lorenzo, Vice-President of the Ramah Navajo School Board, Ramah, New Mexico. Our testimony will be presented in various sections by all three of us in the following order.

Mrs. Lorenzo and Mr. Plummer will be talking about the need for a clear-cut policy statement from the Congress concerning Indian bilingual education. Then I will talk the role of BIA and the U.S.O.E. in the present bilingual programs and citing both problems and progress with these agencies. After Mr. Plummer makes some general legislative recommendations to the Committee, I will conclude with some technical recommendations on these bills and the Lau vs. Nichols decision.

In the earliest relations between Indian tribes and the Federal Government, some 95 treaties had basic provisions guaranteeing education for Indian children. Among these are my own tribe, the Navajo, and the government guaranteed in our 1968 Treaty, three general items relating to education: a qualified teacher and school house for every thirty students and so much money for this education.

American Indians appreciate the Bilingual Education Act. It is a positive piece of legislative which has recognized the importance of using our native languages and our culture as effective tools to motivate Indian students and to reinforce learning skills in the translation process from Indian to English.

For many years, the Federal Government's education policy was administered solely through the Bureau of Indian Affairs. Most of BIA's education policy systematically denied Indian students the use of their language and culture in the school setting. It has only been in the last decade that the Federal Government through the Elementary and Secondary Education and, in particular the Bilingual Education, changed this policy. It has been through the efforts of the U.S. Office of Education, Bilingual Education Office, that some twenty projects which benefit 3,386 Indian students have been funded.

The present law is a good start because it recognizes Indian bilingual education needs but it is not enough.

Today, we have 250,000 Indian school age children. Of this number approximately 200,000 Indian children attend public schools and another 53,000 attend Bureau of Indian Affairs schools. Program statistics from BIA indicate that 7.500 students are being reached by bilingual programs. Yet U.S.O.E. statistics as compiled by Mrs. Anita Pfeiffer, a Navajo faculty member at the University of New Mexico, states that 3.386 Indian students benefit from the bilingual program. What is clear from the discrepancy in these reports is that less than $\frac{1}{3}$ of the BIA students are benefiting from this law and that only a minimal number of Indian public school students are being reached.

At Ramah Navajo High School, we are in our third year of the bilingual education program. My grandchildren attend this school. They speak Navajo and the school has used it to reinforce the beauty of our culture through its language. It has helped our teachers reinforce learning of basic concepts in reading, writing, and math. But more than those academic skills, it has helped give our children in Ramah a strong, clear, positive image of who they are and a keen sense of their abilities to learn and to do.

Today, there are some 250 organized Indian tribes located throughout the United States. Our languages have six linguistic stocks and today we have 50 dialects still actively being spoken.

The present bilingual education act was a good start because it recognized the needs of Indian communities. Now it is important to expand that law, under your present bill, and clearly state a policy which recognizes the right of Indian children to a bilingual education in both the public and BIA schools and to target more specifically ways and monies to do this.

Mr. Chairman, in the past the Bureau of Indian Affairs has asked to be considered as a State Education Agency in educational matters that affect Indian children. We understand that this proposal is still before the Congress and being considered. We are moved by this gesture that the Bureau is finally concerned with the issue of "relevancy" after so many years of educational domination. Yet we have already had demonstrated for us the fact that the Bureau doesn't have the structure to deal with grant or contract administration. To illustrate this point Oyate, Inc. (on the Pine Ridge Indian Reservation in South Dakota) had successfully operated a Title VII Bilingual program as a private nonprofit corporation. Since Oyate, Inc. was not a local education agency, the Bureau was the conduit for the funds to flow to Loneman Day School and Red Cloud Indian School. This project was a five year development project. I have enclosed two news items which point out how a tribal chairmen's "logic" negated the continuity of the project. Oyate lost the contract in spite of directives from both the Deputy Commissioner and Commissioner of Indian Affairs to the Aberdeen Area Director to renew their (Oyate, Inc.) contract. (See Appendix)

In many cases the Bureau has impeded the development of bilingual projects upon insistence that teachers must be "certified" according to standards the BIA has established. These standards also insist that English is required of all students and force non-English speaking students to plunge into areas of unknown and is thereby the basis for an inadequate preparation for the English language.

The problem that we see in the Bureau of Indian Affairs hinges on the fact that the Agency has always seen its role as "running" schools for Indian children. They have never established their contracting or grant making ability as an educational role. In comparison, the U.S. Office of Education has had the time to develop specialists in the areas of education with an emphasis on contracting and grant making capabilities. These specialists exist in all educational areas including Bilingual education. The process established for contract and grant making by the U.S. Office of Education is in accordance with the true spirit of Indian Self-Determination. On this basis we strongly recommend that prime contracting authority (for Bilingual and other educational programing) remain as the primary role of the U.S. Office of Education.

SPECIFIC RECOMMENDATIONS FOR BILINGUAL EDUCATION LEGISLATION

We suggest language which would specify as one of the purposes to provide financial assistance for Teacher Training, and other related activities. Such language could read as (1) to provide financial assistance to L.E.A.'s or to Educational Institutions whether public or private in conjunction with local educational agencies for the purposes as outlined in Sec. 721 (a)(2), (2) and (3) with special preference given to those institutions constituted from members of the particular limited English speaking cultural group.

The reason for the suggestion we have presented above is two-fold. First, our experience with technical assistance agencies as well as institutions of higher learning has shown that too many times an institution is given a grant which has no knowledge of the particular Indian community which it is supposed to be helping.

Thus we think an emphasis should be placed upon the background of the Agency providing these types of services. We believe a priority should be placed on the development of Indian Controlled Institutions to serve Indian people. I would like to note here Mr. Chairman, that I speak of Indian Institutions and Indian Communities, rather than "limited English speaking groups" primarily because I am here to make recommendations which will make this legislation relevant for Indian people.

Secondly, I think consideration should be given to L.E.A.'s themselves receiving Bilingual Grants to conduct development activities at the local level with the Grant Funded at a level allowing them to secure their own technical assistance by sub-contract whether from institutions of higher learning, private organization or from individuals. But I want to emphasize that I am considering the expanded definitions of L.E.A. In this dicussion, I am concerned specifically with elementary and secondary schools operated for Indian children which are Indian controlled non-profit institutions or organizations of Indian tribes. We are concerned with developing that mechanism which will most closely provide for community control for the educational process.

Additionally, where reference is made to "Children in Schools on Reservations" we suggest coverage for all bilingual Indian programs. Thus we would be extending bilingual programs to all Native Americans with limited English speaking ability. There are two reasons for this approach; first, in the states of Oklahoma and Alaska technically there are no reservations. Secondly, not all Indians are recognized by the Federal government or State government. We believe this program should be available to all Indian communities which have limited English speaking abilities.

Additionally, we are acquainted with language in the various legislative acts which requires that Indian bilingual programs to be either operated or funded by the Bureau of Indian Affairs. In the past this has set up the BIA as the only conduit in which funds could be channeled to community schools. We are strongly opposed to the designation of schools *funded* by the Bureau of Indian Affairs. Rather, we strongly recommend that language be developed which would include BIA *contract* schools such as Ramah, New Mexico or Wyoming Indian High School at Ethete, Wyoming. Additionally there are a number of "alternative schools" that are springing up throughout the country that are not eligible for funding since they are not recognized as Local Education Agencies. These schools should be eligible to realize the benefits of this legislation.

We further recommend that funds appropriated for Indian bilingual projects be placed under the responsibility and administration of the recently established Office of Indian Education within the Department of Health, Education and Welfare. We believe this will provide a more accountable structure for the Indian programs since:

1. The framework for grants and contracts for Indian people is well established;
2. The Bureau of Indian Affairs does not have the same capabilities to deliver these types of programs which we feel that the Office of Indian Education within HEW has;
3. Mechanisms for control are already established by the grant process of the Office of Indian Education.

By recommending that the Office of Indian Education administer these monies we are not suggesting Federal Boarding Schools should be excluded from eligibility for funds. Rather we say that they must follow the same criteria and requirements for funding established for all potential Indian grantees. This would ensure that they must include the Indian community in the development of bilingual program and be subjected to the same measures of accountability that would be developed for other programs funded under this act.

We might also suggest a greater emphasis upon the make-up of the National Bilingual Education Advisory Board to include more community members as well as a more equitable representation for Indian people. We also feel that the Secretary should make the appointments based upon our experiences with the Presidential appointments of the National Advisory Council on Indian Education.

SPECIFIC RECOMMENDATIONS ON THE PROPOSED REGULATIONS WHICH NEED TO BE CALLED TO THE ATTENTION OF THE U.S. OFFICE OF EDUCATION

We are concerned with the Proposed Regulations published in the Federal Register on October 1, 1973. The foremost problem that we see for the Indian community rests in the fact that only State Education Agencies can contract for Bilingual Programs and eligible school districts must be included in the State Plan. Within these conditions we cannot possibly conceive how a State would include a non public school in their plan. This would in itself discriminate against BIA contract schools and/or alternative schools which are Indian controlled. Rather, we would wish to see the terms of "Eligibility" extended to include: "Any community school which is under the direction of a local Indian controlled board of education is eligible under this Act."

Additionally, we feel that limiting programs to five years seriously restricts the development of Indian Bilingual Educational Programs. Since many tribes are in the process of developing a written form of their language, five years would only permit for the development of a written form. Curriculum development would only begin to take place within this time frame.

Mr. Chairman, the Coalition of Indian Controlled School Boards, recommends to the Committee that the following items be incorporated into the new bilingual education act:

1. A Congressional Statement of Fundings and Policy which states the following:

a clear statement of the need and status of bilingualism among American Indians

a recognition of the right of Indian students to bilingual education in both the BIA, public, Indian contract and community controlled schools,

authority for the U.S.O.E. to contract directly with the BIA, contract, the Indian community controlled schools. Preference should be given to contract and Indian community controlled schools,

a definition of the Federally operated Schools, BIA contract, and Indian controlled schools should be included in the law.

a clarification of the role of the U.S.O.E. and BIA, with U.S.O.E. maintaining prime program and contract responsibilities,

a 10% set-aside appropriation to the Office of Indian Education, U.S.O.E. bilingual education,

extension of the five year limitation on program development and implementation to seven years for fully integrating the program activities,

equitable representation of American Indians.

Mr. Chairman, in closing, we see the need for comprehensive legislation to address the overriding problems in Indian Education. We believe such legislation must be enacted by a Congress and an Administration willing to work with the total Indian community, willing to address the key issues of Indian education finance as well as Indian education control. All of the legislation we have today, is piecemeal and does not address the causes of failures in Indian Education. We have, on this premise, support other legislation that will effect Indian people. We are also prepared to support Bilingual legislation provided we can see our recommendations incorporated. Our ultimate goal however is to see the development of comprehensive legislation that Indian people will design and shape.

Mr. Meeds. Also I would like to insert in the hearing record at this point a list of schools, Indian schools, which have proposed bilingual programs and requested funding for those.

Mrs. Chisholm. That, too, shall be inserted in the record.

[List follows:]

E.S.E.A. TITLE 7 INDIAN SCHOOLS WHICH PROPOSED A GRANT FOR BILINGUAL PROGRAMS: FISCAL YEAR 1974

Language	School	Address
Apache	Bent-Mescalero Public School	Mescalero, N. Mex.
Apache	Cibecue Day School (BIA)	Ft. Apache, Ariz.
Athabascan	Venetie-Tetlin Schools	Fairbanks, Alaska.
Choctaw	(7) Choctaw Schools	Philadelphia, Miss.
Crow	Lodge Grass Public School	Box A.F., Lodge Grass, Mont.
Yupik [1]	Alsaka Native Education Board	Bethel, Alaska.
Inupiat	Inupiat Bilingual Schools	Barrow, Alaska.
Menominee	Menominee County Education Committee	P.O. Box 149; Keshena, Wisc.
Navajo [1]	Ganado Public Schools, District 19	Ganado, Ariz.
Navajo [1]	Lake Valley, BIA Boarding School	Crownpoint, N. Mex.
Navajo	Borrego Pass Boarding School	Crownpoint, M. Mex.
Navajo	Intermountain BIA High School	Brigham City, Utah.
Papago	Kerwo BIA Day School	Sells, Ariz.
Siberian Eskimo	Nome BIA Agency	P.O. Box 109: Nome, Alaska.
Tewa [1]	San Juan BIA Day School	San Juan, N. Mex.
Zia-Keres	Zia Day School (BIA)	San Ysidro, N. Mex.
Jemez-Tewa	Jemez BIA Day School	Jemez, N. Mex.
Dakota	Fort Totten BIA School	Fort Totten, N. Dak.

[1] Indicates the 4 programs which did receive funding under the Indian Education Act in fiscal year 1974 for bilingual education specifically. There is little assurance that that source will be available to these programs in successive years.

Note.—All these proposals failed to be funded under Title VII since additional funds were not available for new programs in fiscal year 1974.

Mr. Meeds. That refers to which schools did not receive them because of the failure to fund. I would like to point out, in regard to this list, that the committee will notice that almost all, or the bigger share of the requests that I have described are either from the Navajo or from Alaskan Eskimoes, which I described earlier as entering school with almost no comprehension in the learning language, and yet these were turned down.

Mrs. CHISHOLM. That, as I said, will be inserted in the record.

Mr. MEEDS. Thank you for your testimony.

Mrs. CHISHOLM. Mr. Benitez.

Mr. BENITEZ. No questions, except to make a statement concerning this matter of funds. I would hope and trust that certainly, in the case of the Indian group, there should be no restriction of limitations of educational opportunities because of funds. I think that, as with others, the primary responsibility for their education is the United States.

After all, these people were here first and whatever deprivation they have suffered constitutes a most direct reflection and responsibility of our national government and I trust that their needs will be fully and adequately attended.

Mrs. CHISHOLM. Mr. Benitez, thank you very much. That is precisely why I say this is a sad day in American history and I want to thank you very much for your appearance here today before the committee.

Thank you.

Mr. ROBERTS. Thank you, Madam Chairman.

[Additional statement of Mr. Birgil L. Kills Straight follows:]

STATEMENT OF BIRGIL L. KILLS STRAIGHT, COALITION OF INDIAN CONTROLLED SCHOOL BOARDS.

Mr. Chairman, my name is Birgil Kills Straight. I am an Oglala Sioux from the Medicine Root District of the Pine Ridge Indian Reservation in South Dakota, and a member of the Oglala Sioux Tribal Council. I am appearing before you today in my capacity as President of the Coalition of Indian Controlled School Boards, Inc. The Coalition is composed of some ninety-five schools and Indian organizations in twenty-five states of the Union which carry on, or are interested in carrying on, educational programs for Indian children. The Coalition is the first national, grassroots, Indian organization devoted to educational reform. We started in October of 1971 with four member boards and have grown to our present size in just two years.

Before I present our testimony regarding Senate Bill 2552, the "Bilingual Education Reform Act of 1973", and Senate Bill 2553, the "Comprehensive Bilingual Education Amendments Act of 1973", I would like to extend to you Senator Pell and your committee, and in particular Senators Kennedy and Cranston, the greetings of our Executive Board and our general membership, and to thank you for inviting us to participate in this hearing.

To begin, I would like to make some initial comments, which I believe will lay the ground work for the substance of my comments upon S. 2552 and S. 2553.

A theme which the Coalition of Indian Controlled School Boards has maintained throughout its brief two year existence is that governmental agencies, in their implementation of Legislation, must be held accountable for carrying out the purposes of Congress. Indeed, the President of the United States, must be held accountable for the implementation of Legislation which is enacted by Congress and which he himself signs into Law. It seems to us that the present turmoil in high places, the events of the past few months, the circumstances of the resignations of the Vice President, of the Attorney General, and all the related events—it seems to us Mr. Chairman—that these things come to bear upon this problem of *Accountability*. We sincerely hope that these events serve to give you, the Congress, as well as the American people as a whole, a new perspective. We hope it gives you a perspective which will bring you up to a level of understanding and perhaps empathy for the problems we face as Indian people demanding accountability of the Bureau of Indian Affairs and State and Local Educational Agencies, and even, as the events of Wounded Knee have demonstrated, accountability of present day Tribal Governments. I might add a note at this point which deals not with the Coalition, but rather with my experience as a Tribal Councilman on the Pine Ridge Reservation. In February of this year I and two other Councilmen of the Oglala Sioux Council upon repeated outcrys from members of our districts, introduced an impeachment resolution calling for the impeachment of the President of the Oglala Sioux Tribe, Mr. Dick Wilson. We felt at that time and still feel that there was sufficient documentation to warrant Mr. Wilson's impeachment. Unfortunately Mr. Wilson controlled the impeachment process and in effect presided at his own impeachment hearing. We appealed to the Bureau of Indian Affairs, but found that their interests were co-terminous with Mr. Wilson's. When the people found they had no fair recourse for their complaints, in desperation, they called upon the leaders of the American Indian Movement. As a result, this country had to contend with the occupation of Wounded Knee. I bring this up to highlight this whole question of accountability. Accountability to whom? On January 31 of this year, I testified before Senator Ervin's Committee on Governmental Operations relative to the impoundment of funds authorized by Congress for the Indian Education Act of 1972. In concluding my testimony I stated, "We hope for the sake of our children as well as for the sake of the Nation as a whole that whatever be the final content of S.373 (The Impoundment Control Bill) that you act to retain a Government Accountable to the people. *Accountability to the people*—Mr. Chairman—isn't that what our government is all about? If the Coalition of Indian Controlled School Boards is anything Sir, it is simply this, Indian people demanding an account from Government for the mess that has come to be known as "Indian Education". *Accountability*, Mr. Chairman, can only be attained, when the structures of government, and the structures for the implementation of government programs, are designed with checks against Bureaucratic abuse. If the purpose of a particular piece of legislation is to provide for the Educational needs of Indian children, and specifically for the Bi-lingual Educational needs of Indian Children, then it is the duty of Congress to insure that the structures of implementation provide for accountability to Indian people. We are the only people who can validly assess the degree to which a Bi-lingual program is meeting our children's needs. We are the people who can tell you whether or not monies, which you authorize and appropriate after long and exhaustive hearings, are being spent for the purposes which you intended. In concluding this preface to our remarks, Mr. Chairman, we would like to emphasize very strongly, that it is not enough to recognize the needs of Indian students, and in particular Bi-lingual Indian students, it is not enough, to compile statistics documenting those needs, to hear testimony from people like myself, and then through legislation to make monies available to meet those needs. The heart of the matter is to whom do you make those monies available? There must be mechansims developed in the legislation that both monitors and controls the expenditure of the monies appropriated. These mechanisms must be *mechanisms of accountability to Indian people.*

GENERAL STATEMENT OF SUPPORT FOR S2552, AND S2553

We can say without hesitation that we support the passage of legislation extending the authorization of Title VII of the Elementary and Secondary Education Act of 1965. We feel that it would be foolish for the Federal Government to abandon this program at this time. We note that both S.2552 and S.2553 call for the establishment of a Bureau of Bi-lingual Education and establish a 15-member National Advisory Council on Bi-lingual Education. We feel that this is a reasonable step in the direction of providing for an accountable structure, particularly we would say from the standpoint of our Spanish-speaking Brothers. We note that S.2552 provides for training of bi-lingual educators, emphasizes colleges and junior colleges where the majority of the student body are Spanish speaking, mandates bi-lingual programs in all subject areas in the language a child learns in, amends the Vocational Education Act, the Adult Basic Education Act and the act which establishes the National Institute of Education in such a way as to provide for bi-lingual programs in the respective acts. We feel such provision will provide a broader forum to deal with Bi-lingual Education. Senator Cranston stated in his introductory statements before the Senate "The measures we introduce today have an identical goal: To provide educational programs that regard the bi-lingual child as advantaged. I believe that bilingual education can be a great force in fostering educational change in America. And it clearly rejects the idea that the prime objective of the school is to wipe out all differences in style, heritage, and language background, delivering to society—at the end of 12 years—a nicely packaged, well rehearsed automatic reciter of majority maxims." We think this is a significant statement on the part of a United States Senator and concur with this view. In general then we would support the passage of these Bills. However, we don't think that the provisions in either Bill are adequate to provide for the needs of the Indian community.

SPECIFIC RECOMMENDATIONS S2553

Sec. 702 (a) Policy, Appropriations.

We suggest an addition (a)(3) to this Section which would specify as one of the purposes to provide financial assistance for Teacher Training, and other related activities. Suggested wording for this section would be,

"(3) to provide financial assistance to L.E.A.'s or to Educational Institutions whether public or private in conjunction with local educational agencies for the purposes as outlined in Sec. 721 (a)(2), (3) and (4) with special preference given to those institutions constituted from members of the particular limited English speaking cultural group.

The reason for the suggestion we have presented above is twofold. First our experience with technical assistance agencies as well as institutions of higher learning has shown that too many times an institution is given a grant which has no knowledge of the particular Indian community which it is supposed to be helping.

Thus we think an emphasis should be placed upon the background of the Agency providing these types of services. We believe a priority should be placed on the development of Indian Controlled Institutions to serve Indian people. I would like to note here Mr. Chairman that I speak of Indian Institutions and Indian Communities, rather than "limited English speaking groups" primarily because I am here to make recommendations which will make this legislation relevant for Indian people.

Secondly I think consideration should be given to L.E.A.'s themselves receiving Bi-lingual Grants to conduct developmental activities at the local level with the Grant Funded at a level allowing them to secure their own technical assistance by sub-contract whether from institutions of high learning, private organization or from individuals. But I want to emphasize that I am considering the expanded definitions of L.E.A. under Section 722. In this discussion, and am concerned specifically with elementary and secondary schools operated for Indian children which are Indian controlled nonprofit institutions or organizations of Indian tribes. We are concerned with developing that mechanism which will most closely provide for community control of the educational process.

Section 703 (a)(1)(C) "Definitions/Regulations"

Although the intent of the bill is to provide for the needs of 'children of limited English-speaking ability' it seems to us that a great number of Indian children will only be eligible by definition of the Commissioner through regulation. We would rather see Indians eligible by definition in the Bill, thus we would suggest a new Section (C) which states "Native American children whose dominate language in other than English" be added and designate the Section 703(a)(1)(C) as provided in the Bill as Section 703(a)(I)(D).

Section 703 (a)(4)(A)(iii).

We would suggest that there be an addition of the word "Tribe" between Nation, and Territory. Although we prefer to think of ourselves as Nations we realize that the definition as accepted by most non-Indians does not conform to ours. Thus to eliminate any doubt that the law is concerned with tribal history we think it appropriate to make this specification.

Section 703 (a)(4)(E)(ii).

Although we believe that there should be involvement by parents, teachers and students we would prefer the weight of the committee to be in favor of parents. For this reason we would suggest strong language in this section which would eliminate teacher domination. Suggested language might be "with the participation and approval of a community committee composed of, and selected by such parents from their own number of which at least one-half the members shall be such parents and, where applicable, secondary school students, and such teachers in an advisory capacity as are selected by the community committee."

Section 722 "Children in Schools on Reservations"

We suggest this section be changed to provide for coverage for all bilingual Indian programs. Thus we would suggest the heading be "Native American limited-English speaking children."

There are two reasons for this approach; first in the states of Oklahoma and Alaska technically there are no reservations. Secondly not all Indians are recognized by the Federal Government or the state governments. We believe the program should be made available to all Indian communities where children have limited English speaking abilities. In view of this we would further recommend that Sec. 722 (a) be amended to read "For the purpose of carrying out programs pursuant to this title for individuals serviced by elementary and secondary schools operated for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school for the purpose of this section, may be considered to be a local educational agency as such term is used in this title."

Section 722 (6)

We feel it important to dwell for a moment upon the requirements as set forth in this section. The effect of the language in this section is to require that all bilingual programs to schools either operated or *funded* by the Bureau of Indian Affairs for elementary and secondary school programs be channeled through the Bureau of Indian Affairs. We object most strongly to the designation of schools *funded* by B.I.A. This would include *contract schools* such as Ramah, New Mexico or Wind River High School, Wyoming. Such schools are continually fighting to shed the yoke of B.I.A. dominion. Such a requirement would only help to strengthen the dead Bureaucracy of the B.I.A., an agency severely criticized in the Senate Report "Indian Education: A National Tragedy—A Nation Challenge". We concur in the assessment of this report that the B.I.A. is the Agency most unresponsive to the educational needs of Indian people. It is our opinion and our experience that the Bureau, in its present structure, will not allow for the full impact of the proposed legislation. It would in fact provide funds to pay for the rention of Civil Service personnel to whom this Federal agency has a greater committment than to the needs of Indian students.

We recommend that funds appropriated for Indian students under S.2552 and S.2553 be placed under the responsibility of the recently established Office of Indian Education within the Department of Health, Education and Welfare. We believe this will provide a more accountable structure for the Indian programs for the following reasons:

1. The framework for awarding grants and contracts directly to Indian communities and institutions is now well established in the Office of Indian Education and would make such awards on the basis of need through a developed award system;
2. Funds appropriated for Indian bilingual projects would, if placed under the authority of the Secretary of the Interior, trickle through their bureaucratic structure, without a significant impact reaching those beneficiaries funds are intending to reach.
3. Mechanisms for control and direction of programs are ensured in the grant process developed by the Office of Indian Education.
4. A practical reason Mr. Chairman is that in 1973, 23.1 million dollars went for Bilingual Educational programs for Spanish speaking peoples while 2.6 million dollars was spent upon Alaskan and American Indian projects. While we acknowledge the fact of the larger number of Spanish speaking peoples we must point out to you that there are well over 250 Native American languages.

In order to develop materials, and expertise in bilingual methods for languages that do not have a European history there will necessarily have to be a much greater effort and expenditure in the beginning. We do not feel that the interests of the Indian community will be adequately protected under this structure. We are recommending therefore that there be a set aside of the total appropriation for Indian projects, that this set aside be administered by the Office of Indian Education, and that the amount be determined by need rather than by population statistics. By recommending that the Office of Indian Education administer these monies we are not suggesting Federal Boarding Schools should be excluded from eligibility for funds. Rather we say that they must follow the same criteria and requirements for funding established for all potential Indian grantees. This would ensure that they must include the Indian community in the development of bilingual program and be subjected to the same measures of accountability that would be developed for other programs funded under this act.

We therefore recommend that Section 722 (b) be deleted and in its place a section included which incorporates the above recommendations.

Part B—Administration

We have already commented upon the Administrative needs for the Indian communities. We do not oppose the establishment of the Office of Bilingual Education, in fact we think it will be particularly helpful for the Spanish speaking community. We might suggest a greater emphasis upon community members in the make-up of the National Bilingual Education Advisory Board. Our experience with Presidential appointments would lead us to recommend Secretarial appointments as is provided in S.2553 rather than Presidential appointments as provided in S.2552. We felt political expendiency far out weighed educational merit in the process of Presidential appointments for the National Advisory Committee on Indian Education. We think that the inclusion of a specified term of office for the Advisory Board Members is of merit.

Part C, Sec. 742 (C)

We would recommend an addition after the word *Organizations* which would read as follows: "with special preference given to those institutions constituted from members of the particular limited English speaking cultural group." Again our concern is with the question of to whom monies are given for the performance of Education Research. We believe there are Indian organizations capable of adequately performing these services.

S.2552, the "Bilingual Education Reform Act of 1973". I will not comment in detail on S.2552. However I believe that my major recommendation of S.2553, the "Comprehensive Bilingual Education Amendments Act of 1973", will apply to both Bills. In conclusion I would point out that there is a need for comprehensive legislation to address the overriding problems in Indian Education. We believe that such Legislation must be enacted, and it must be enacted by a Congress and an Administration willing to work with the total Indian community, willing to address the key issues of Indian Education Financing as well as Indian Education Financing as well as Indian Education Control. All of the legislation we have today is piecemeal legislation which doesn't key upon the root causes of failures in Indian Education. We have supported the passage of the "Indian Education Act of 1972" P.L., 92-318, as well as S.1017 "The Indian Self-Determination and Educational Reform Act of 1973." Given the incorporation of our recommendations we are now supporting S.2552, the "Bilingual Education Reform Act of 1973", and S.2553, the "Comprehensive Bilingual Education Amendments Act of 1973". Nevertheless we are prepared to put forth a full effort to help develop that Comprehensive Legislation that is so long overdue.

In closing Mr. Chairman, I would like to incorporate for the record a presentation which we made to the Office of Management and Budget along with other Indian organizations on October 4, 1973.

Thank you.

BILINGUAL CONFUSION RESULTS

At a joint meeting of the Red Cloud Indian School Board, the Loneman Day School Parent Advisory Committee and Oyate, Inc. (receiving agency of a recent Office of Education Grant of $150,000.00 for the Bilingual program operated at the two schools) the assembled members discussed avenues of action to reverse the decision of the Tribal Chairman Richard Wilson to have the grant funneled through the Tribal Office under the Unified School System. Members felt that the interest of the Tribe and the action of the Chairman was interference with the community, rather than a Tribal program. Various members stated that the tribe does not have a place in the education of Indian youth. The community felt that the responsibility of education and the benefit of the program had been won by the community for their work on the program.

When contacted, Mr. Wilson stated that it is "absolutely the business of the tribe to control and administer education among its youth." He further stated that it is a "logical move to consolidate education resources as part of an over-all plan" for the upgrading of the reservation. Under this plan the Bilingual program would come under the guide of the Unified School District. Red Cloud Indian School does not hold representations on the board. Wilson indicated that at such time as the school holds a "bonafide school board election" they will automatically be represented on the Unified School Board.

Wilson said that he had made an arbitrary decision to "save the program" without Executive Board Action. He was in Denver, Colo., at the time of his decision, meeting with officers of the Office of Education. Mr. Wilson appointed a new director to insure the funding of the program. Mrs. Elizabeth Bradshaw, a native Oglalan, will serve as the new director of the program. The Bilingual program is funded under Title VII.

TITLE VII: UNCERTAIN STATUS REMAINS UNCHANGED

The status of the Bilingual Program (Title VII), funded by the Office of Education, remains unchanged after some additional maneuvers by the Unified School Systems and Oyate, Inc. to change the outcome of the action by President Richard Wilson which put the program under the control of the Oglala Sioux Tribe.

Following the move by Wilson to redirect the funding of the program through the tribe, members of Oyate, Inc. tried, apparently unsuccessfully, to overturn his decision or to side-step it. After Wilson announced the change in structure, placing the program under the Unified School Systems, the USS then attempted to sub-contract the program to Oyate, Inc. Wilson said that he absolutely will not allow the move.

In what appears to be a power struggle between a number of factions within the Oglala community and the tribal president, the fate of the bilingual program has been shifted from one side to the other and still remains uncertain. Discussion, at one point, on the community level, toyed with the idea of returning the entire contract to the Office of Education rather than to give up the control of the program to the tribe. Local residents pointed out that the only losers in that situation would be the children for whom the program was designed.

The funding for the program is still in Aberdeen and will remain there until the start of the new contract on July 1, 1972. At that time, Wilson says that the money definitely will be given to the tribe. Wilson also stated that his selection of a director for the program, Elizabeth Garnier Bradshaw, will remain the same. She is to begin the direction of the program at the start of the new contract.

BILINGUAL EDUCATION (BY ANITA BRADLEY PFEIFFER GRADUATE SCHOOL OF EDUCATION ADMINISTRATIVE CAREER PROGRAM HARVARD UNIVERSITY CAMBRIDGE, MASS.)

HISTORICAL BACKGROUND

Education has always been considered a basic tool in helping the Indian people accommodate their lives to the world of the white man. The question was: How educate? By what means? For what purpose?[1]

Federal responsibility for Indian education began in the 1500's in Florida. The goal since the 1500's was to make and still is to make Indians like the white man "civilized" and educated.

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[1] Fey, Harold E., McNickle, D'Arcy, *Indians and Other Americans, Two Ways of Life Meet*, Harper and Row, Publishers, New York, 1970, p. 125.

Since the first treaty of December 2, 1794 made between the U.S. government and the Oneida, Tuscorora, and Stockbridge Indians the treaties have generally contained Indian Education provisions.

Indian Education, however was not designed with the idea of cultural relevancy for Indians in mind. The idea was to assimilate the Indian into the relatively homogeneous unit of middle class Anglo society.

People often ask those of us who are involved in education programs for Indians to discuss or describe Indian Education. I would like to point out that no Indian Education exists which can be described in like manner to the British Infant School Education. The form and content of schooling which has been imposed upon Indians is essentially the same model of education developed for and used by mainstream American schools. This has been our problem. Indian children are taught: in a foreign language; concepts which are foreign; and are taught by human models who are foreign.

Acutely aware of the drawbacks of schools which have tried to educate Indian youngsters and have failed, Indian parents are actively discussing and exploring the feasibility of governing and operating their own schools which will serve not only the needs of their children, but also serve the needs of parents and grandparents in the community. Indian parents express their convictions that they can change the emotional, social, educational, and economic climate of the community, which has a direct effect on the children and their learning.

Sufficient literature exists which reflects the Indians' desire to remain and maintain his unique cultural value orientation rather than adopting the non-Indian value orientation which has been a 400 year imposition.

Such evidence clearly shows that Indians must launch a new approach to learning so that the child may grow effectively, not necessarily into the mold of middle-class suburban child, but into one capable of helping himself and his community more effectively. Bruner states, "that (traditional American) education cripples the capacity of children in the lowest socio-economic quarter of the population to participate at full power in society, and does so effectively at an early age." [2]

What are the ingredients of an educational philosophy which would be most beneficial to the Indian youngster? Where do we focus our attention? on the child? on the mother? on attitudes and values? on the home environment on the teachers? on curriculum on methods? on techniques? How do we begin?

Toffler suggests an organizational attack and pursuing three objectives: (1) transfer the organizational structure of the educational system, (2) revolutionize its curriculum, and (3) encourage a more future-focused orientation. The movement must begin by asking root questions about the status quo.[3]

In thinking about any educational model for Indian we must keep in mind that there are many Indian tribes, each with its own distinct language; some living on reservation land bases, while some tribal members live in cities. Some tribes have lost their native language and other tribal members don't speak English.

BILINGUAL/BICULTURAL EDUCATION

Title VII—"Bilingual Education Act" states as its Declaration of Policy in Sec. 702: In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, "children of limited English-speaking ability" means children who come from environments where the dominant language is other than English.[4]

Presently Title VII projects are located in eleven (11) states: Alaska, Arizona, California, Colorado, Florida, Maine, Montana, New Mexico, Oklahoma, South Dakota and Utah.

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[2] Bruner, Jerome S., *The Relevance of Education*, New York, W. W. Norton & Company, Inc., 1971, p. xl.

[3] Toffler, Alvin, *Future Shock*, Random House, Inc., New York, N.Y., 1970, p. 399.

[4] *A Compilation of Federal Education Laws*, Committee on Education and Labor, House of Representatives, 92 Congress, 1st Session, U.S. Government Printing Office, Washington, D.C., October, 1971, p. 76.

The projects include the following Indian and Eskimo languages:

1. Cherokee, 2. Choctaw, 3. Cree, 4. Crow, 5. Keresan (Acoma and Laguana), 6. Lakota Sioux, 7. Miccosukee-Seminole, 8. Navajo, 9. Northern Cheyenne, 10. Passamoquoddy, 11. Pomo, 12. Seminole-Creek, 13. Ute, 14. Yuk, 15. Eskimo, and 16. Juni.

The projects are in twenty (20) locations and the total number of Indian children served by this project is three thousand three hundred eighty-six (3,386 children).

The projects are working and resolving the issues of:

1. teaching reading in the dominant language of the child
2. developing a writing system and describing the grammar of the Indian language.
3. gaining approval for Indian material development
4. training school people
5. and developing classroom readers

Some of the projects have made arrangements with universities, such as the Rough Rock Demonstration School, to give language credit for Indian language. These credits can then be applied toward degree work or be credited toward salary increments.

To be more specific regarding the need for bilingual/bicultural education let's look at the Navajo situation: In the 1971–72 school year, there were over 50,000 Navajo children between the ages of 5 and 18 enrolled in the Bureau of Indian Affairs, Public, or other schools. Most of the pupils speak Navajo (98% of those entering BIA schools, close to 90% of those entering Public Schools); very few of them know much English (12% of those entering BIA schools, less than half of those coming to public schools). In the same year, these children had over 2,200 teachers, all of whom knew English, and probably fewer than 100 of whom knew Navajo.[5]

The above survey suggests that effective, efficient bilingual programs be implemented which will create better learning environment for Navajo youngsters. The following considerations should be instituted: (1) that schools which have children who don't speak English when they start school should be taught in their mother language until they have mastered English as their other language. (2) that schools who have Navajo speaking youngsters should be taught by adults who are Navajo/English bilinguals. (3) that schools create Navajo reading materials for children who need to start learning how to read in their own language first, before tackling reading in English. (4) that parents be utilized in these classrooms to continue teaching Navajo concepts and values which constitute the child's value system at the time the child enters school. (5) that Navajo board members be elected to Navajo schools, rather than having policy decision occur away from the reservation by people who don't have a vested interest in the problems. (6) that administrators of these schools be bilinguals. (7) that training be provided for parents, grandparents, teachers, administrators and supervisors whether they be Navajo or non-Navajo. (8) that there be restructuring of the school organizational design to allow for flexibility, creativeness, trust, and respect for individuals (both children and adults). (9) that relevant curriculum materials be produced geared to the needs of Navajo youngsters.

Bilingual/Bicultural Education should be the basis for total community involvement, responsive to the needs of the Indian community, facilitating the kind of involvement where parents, grandparents, relatives and children can work together in resolving problems and seeking new ways of schooling and educating.

Bilingual/Bicultural Education should be instituted as a model of accomplishing social change, self identity, and facilitating in the children and adults their development of potential as productive citizens in both cultures.

Bilingual/Biculturral Education should be designed to teach the child in his own dominant language (including reading and writing) to improve the child's cognitive development, increase his positive self-identity, increase his general language ability and facilitate parental involvement in the child's school environment.

The traditional graded school environment with its social promotions, failures, teacher parceling-out information, lock-step movement through State adopted texts for Navajo youngsters must change to a reasonable kind of education which values the child's home background and reflects humanistic objectives which the children and parents would like to see accomplished for the future.

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[5] Spolsky, Bernard, "Advances in Navajo Bilingual Education", *Bilingual Education for American Indians*, Vol. II, BIA, Washington, D.C., 1973.

Bilangual/Bicultural Education provides the desired framework within which a trusting relationship between all individuals in the educational community may generate.

For the child who enters school without an adequate speaking knowledge of English, the problem of securing even a minimal education is made infinitely more difficult if the teacher and other adults in the school speak only in English. While his native English speaking counterparts are beginning to use the facility for making sense out of their world, which six years of language development has netted them, in order to pursue the development of the complex sequence of concepts which Piaget has discovered underlying the normal cognitive development of children of all cultures. The child with minimal English commanded in the monolingual English school is forced to divert his attention to the task of learning a language all over again, from the beginning. Where his first language experiences were in the rich and supportive language environment of the home and (for the Indian child) the extended family community, which provided both a multiplicity of models, and intensive reinforcement for every effort at creative communication which he made, his new experience is most often imposed upon him by a single authoritarian adult (or, at best, team of two or three adults), in a formal instructional setting in which he must participate as one competing member of a large group of age peers, and in which, as a result, his individual needs and efforts are subordinate to the "needs of the group". The net effects of this circumstances is two-fold. First, with the best of curriculum, and the most sensitive of methods and staff, it takes him anywhere from two to four years to achieve anything like the command of English that his counterpart had to start with, and all effective instructional use of English as a means of teaching him the academic concepts of the school's curriculum must wait until he achieves this.

There are, however, other time pressures upon the school staff to "cover" certain curriculum areas by certain times, in order to prepare the way for later learning, so the response of the teaching staff, who do not speak the child's language, is to "do the best they can" with what English he has, and get on with it. Frequently, "interpreters" are used to fill in, "explaining" troublesome concepts in the child's mother tongue but only after he fails to comprehend them in English. Gradually he is sifted out of the "faster" groups, and classed with younger children, as "not yet ready" to go on to "more difficult material". The indirect messages involved are not lost on him. His confidance falters, and school becomes more and more of an endurance contest, and less and less of an opportunity to learn, and explore and grow. It's an old story." The second effect, however, is not as obvious as this first one, because it is the effect of what does *not* happen, rather than what does. His language development in his mother tongue is slowed drastically, if not altogether interrupted. The development of verbal reasoning processes which continues uninterrupted for his native English speaking counterpart, must await basic language development for him in English, and is largely (totally—if he is in a boarding school) neglected in his mother tongue. Effects may not show up for some aspects of this interruption of the normal process of development for years. But they are there, and they gradually accumulate and at about for the grade they begin to show a cumulative result that may leave him educationally crippled for life.

A word needs to be said on behalf of the present generation, by and large, dedicated, well meaning monolingual English speaking teachers and administrators who now form the human backbone of the Indian educational institutions.

It is not our purpose here to impugn either their integrity or their professional skill. Although they appear to be highly visible and convenient scapegoats, one cannot hold them individually responsible for their lack of appropriate language skills for teaching non-English speaking children—but their language skills *are* inadequate. Let me repeat . . . the inadequacy is not in the language skills of the Indian student, but in those of his teachers. The child enters school with just as highly developed linguistic and cognitive skills as does his English speaking counterpart, but his teachers are not professionally prepared to make use of them in his education. Neither is the curriculum of the school. And the net result is that the school "junks" his entering educational assets, and forces him to begin all over again to develop similar ones to match the existing skills of his teachers. Various arguments are used to justify this self-perpetuating status quo—the lack of professionally prepared native speakers of Indian tongues—lack of Indian language curricula—the eventual need for these children to learn English competence anyway. None of them hold a candle to the downright candor of admitting that it is the existing professional school structure that is deficient, and that, under present conditions it is easier to demand that the Indian student be retrained to accomodate to these deficiencies than that the professional staff of the schools be retrained, or replaced.

Again, let me repeat, there is no point in impugning the monolingual teacher's integrity or genuine professional skills. It is his *education* which is inadequate.

The real culprit is the cultural parochialism of the higher educational system which prepared him, and the professional associations which certified him as adequately prepared to teach non-English speaking children, when he could not even say "hello" in these children's language, himself.

There are really no issues concerning whether there are children who need bilingual education in order to give them even a remotely fair chance of succeeding at the higher levels of school. Nor are there any real issues about whether these children should remain bilingual instead of having their mother tongue wiped out as if it were a stain on society, or whether they should ultimately learn to speak and use English as fluently as possible, or whether there are things that they must have a good command of English to learn. The answer to all of these questions is yes. Similar statements could be made about bicultural education and the coordinate use of the school system to communicate and support both cultures in which the child lives and probably will always live.

The real issues are whether the adults presently operating the schools are adequately prepared to teach these children, and if not, whether the burden of change should fall upon the adults, or the children. And there is ample evidence, from the extended history of attempts to place the burden upon the children, that this "solution" only perpetuates the problem, and is nowhere near to solving it. What we now face is the cumulative effect of the culture-coung policies of the educational structures that have produced and maintain the present school system. It takes time and money to produce an educational system, quite apart from the costs of maintaining it and operating it.

And we now face up to the fact that the time and money that went into producing the exclusively monolingul-English elements of the present system (however well-intentioned or innocently oblivious or pre-occupied with other problems its architects may have been) was an ill-advised investment in inefficient and ineffective educational tools and procedures. The doleful record set forth in the Senate Subcommittee Report on Indian Education (1969) is ample evidence of this, and needs no repetition. The only remaining questions are those of whether the present system should be either:

1. forthwith terminated as doing more harm than good!
2. continued, "as is", to avoid:
    (a) The open admission of abject failure implied in option 1. above or
    (b) The cost of re-investment in the development of a more efficient and effective system which makes use of the Indian student instead of destroying them.
3. Undergo a period of educational re-capitalization.

The costs of bilingual educational projects now being carried out are part of the third alternative. They are basic capital investment in the educational process. They involve experiment and development, and some trial and error, and like all capitalization, their cost is in addition to the normal cost of maintenance and operation. They represent, in our opinion, the most responsible alternative in view of the basic commitment of the United States Government to provide a decent education for Indian children. The next most responsible alternative would be number one. At least it would be honest!

In our opinion, alternative number 2 would be almost totally irresponsible, whether viewed from the standpoint of the commitment made to the Indian child, or that of the public servant's responsibility for securing fair value for the American taxpayer's dollar. It is analogous to taxpayer subsidization of submarginal business so that its operators need not face up to economic reality, except that instead of robbing the taxpayer alone, to feed the inadequate businessman, it robs both the taxpayer and the helpless Indian child to feed the inadequate educator.

I personally do not believe that the American public, or the American government is prepared to do this. There has been too much growth in public sensitivity to moral issues. Cultures not only grow and develop, but they also seem to reach a point of self-awareness which in the individual signals the advent of self-directed growth. I believe that America is aware of the need to grow beyond the culture-bound vision of past generations which has plagued its relations with the native people of his continent.

I believe it is aware of the self-defeating inappropriateness, in a free land, of such statements as that of President Theodore Roosevelt "We have room for but one language here. . . ". America has intellectually affirmed its commitment to the right of Indian self-determination. However, it now faces a critical stage its maturation, when it must resolve to do what is right, and what is most productive over the long haul, in the face of the short-term advantages of taking the easy way out and substituting pious words for responsible effort.

RECOMMENDATIONS

1. The implementation of language policy should be made by the parents of the students.
2. The child's dominant language should be used as his language of instruction when he/she enters school.
3. The child's weaker language needs to be developed sufficiently that he/she can use it with confidence.
4. The child's dominant and weaker languages should be given equal time in order to equip the child with fluent ability to speak, read and write in both languages.
5. Each school community should hire their own school people (administrators, teachers, specialists, parents) to implement the desires of the community in achieving quality education for the community children.
6. There should be daily community participation in the school, this often means increased employment opportunities within the school.
7. Congress must appropriate comprehensive annual funding for bilingual education programs on or near the reservations for basic support, including operating costs, administration, materials development, teachers, parental employment and teacher training.
8. Initial Congressional appropriations must support existing bilingual education programs as listed in Appendix A.
9. Succeeding appropriations would support other developing bilingual education as developed by Indian communities across the country.

APPENDIX A

ESEA TITLE VII PROJECTS SERVING AMERICAN INDIANS AND ALASKAN NATIVES

Project No.	Location	Language group	Number of indians served	Fiscal year 1972 funding level
505	Anchorage, Alaska	Yuk Eskimo	218	$187,000
360	Chinle, Ariz. (Rough Rock)	Navajo	394	250,325
520	Chinle, Ariz. (Rock Point)	do	229	199,750
667	Window Rock, Ariz.	do	164	230,000
178	Ukiah, Calif.	Pomo	52	49,224
362	Cortez, Colo.	Ute	34	102,000
		Navajo	50	
834	Ochopee, Fla.	Miccosukee Seminole	50	68,200
652	Calais, Maine	Passamoquoddy	54	74,375
465	Box Elder, Mont.	Cree	103	74,800
465	Hardin, Mont.	Crow	273	134,714
465	Lame Deer, Mont.	Northern Cheyenne	59	100,000
609	Gallup, N. Mex.	Navajo	150	102,646
		Zuni	50	
22	Grants, N. Mex.	Laguna Keresan	91	22,660
518	Ramah, N. Mex.	Navajo	150	182,125
854	San Fidel, N. Mex.	Acoma Keresan	203	80,000
326	Idabel, Okla.	Choctaw	195	140,000
624	Seminole, Okla.	Seminole-Creek	93	[1] 115,000
197	Stilwell, Okla. (formerly Tahlequah)	Cherokee	310	214,577
665	Oglala, S. Dak.	Lakota-Oglala Sioux	198	135,095
207	Monticello, Utah	Navajo	253	133,900
Total			3,386	[1] 2,654,927

[1] Plus $7,536 fiscal year 1973 supplement.

Note: N.B. ESEA Title VII projects assume that bilingual/bicultural education is a 2-way street; non-Indians in the target schools and grades also participate in the program to the mutual benefit of both groups. Also a few projects also have a Spanish component. The project data shown on the above chart has been pro-rated to include only Indian students and those funds supporting the development of an Indian bilingual/bicultural program.

Source: Division of Bilingual Education, Bureau of Elementary and Secondary Education, U.S. Office of Education.

STATEMENT IN RESPONSE TO THE REQUEST FROM CONGRESSMAN MEEDS ON INDIAN BILINGUAL EDUCATION

OVERVIEW

The most recent findings of a survey by the BIA Curriculum Branch indicate that fully ¾ of the children in the 200 BIA schools *need* bilingual education. There are 54,000 students in these schools. Bilingual education programs in varying degrees of intensity now reach 7,500 of these students, or ¼ of those who need it. Most of this growth in bilingual programs has occurred since 1970. Bilingual education has yet to reach an estimated 23,000 BIA students whose mother tongue is not English.

The rate of growth for bilingual education among urban and non-BIA Indian students who need it has been slightly less than in the federal schools.

Whether the source of funds for Indian Bilingual Education is ESEA Title VII, Title I, Indian Education Act (Title IV) or regular (1740) BIA funds, it is always expensive when judged on a per-pupil cost basis. This is due to these principal factors. (1) a writing system and literature are, for the most part, non-existent and must be created. (2) Indian Bilingual Programs do not have ready access to the urban-centered specialists in this relatively new form of minority education.

Appendix I gives further details of the state of this art.

FUNDING

To date nearly 5 million dollars has been "committed" by U.S.O.E. to Indian Title VII programs. These are programs which have a five-year developmental period in which to become independent of Title VII funds. An additional two million dollars is now being proposed by ten new programs. These are in the following languages: Dakota Sioux, Navajo, Tewa, Apache, Papago, Choctaw and Assinoboine.

FIVE-YEAR LIMITATION

Some bilingual education projects are experiencing a need for an extension of the five-year limitation set by the ESEA Title VII legislation. For American Indian bilingual projects the need for a longer developmental period is more critical than bilingual programs embracing European or Asian languages. The Indian languages must be given time to develop, both lingustically and in their body of literature. It must be understood that the only beginnings for Indian bilingual programs are a strong oral tradition in the native American language. It must be anticipated that bilingual education will be more costly and time-consuming in these cases.

OTHER SOURCES OF FUNDING

Besides Title VII (ESEA), some Indian bilingual projects have sought federal funds from Title I (compensatory) ESEA. The Yupik projects in the Bethel area are a good example of these. Aother example is the Papago program at Kerwo, Arizona which obtained initial funds under Title I when the Title VII office had to refuse all new proposals (13) FY–1974.

The Indian Education Act of the Education Amendments of 1972 (Title IV) also provided last-minute aid to some of the Indian communities which sought Title VII assistance last year. San Juan Pueblo in New Mexico was one such fortunate school to be granted funds to begin their bilingual program. However, Indian people are not sure of the permanence of this source of money for bilingual education.

TEACHER TRAINING

There is no "pool of teachers" from which to draw new bilingual classroom teachers in the Indian schools. They must be trained and they must be Indians. It is the rare exception when a non-Indian learns the language and culture of Indian children and who is able and willing to teach in a bilingual school for Indians.

Appendix II delineates the rationale for urgent teachers training in the bilingual teaching of Indians.

To summarize the issue in that paper, Indian communities simply cannot be served by the generalist education major produced by this country's teacher college. These communities must raise up a new generation of teachers specially prepared to work in the native language and English.

THE TRAINING OF NATIVE LINGUISTS

In addition to teachers who are bilingual, experience has taught Indian people that they need to provide themselves with community-based Indian linguists to address the critical questions of language formation. The BIA and the Summer Institute of Linguistics began to scratch the surface of this problem in the summer of 1973 at the University of North Dakota and will continue a similar experiment this summer in the Southwest. Field techniques in Applied Linguistics must be learned by the native speakers to provide expertise in materials and development as well as instructional strategies in their bilingual communities.

TITLE VII AND THE BIA

There is every hope that ESEA Title VII will be able to respond to the great need and growing requests of Indian communities this year. These communities were informed by the U.S.O.E. through the BIA so later in the fiscal year that the proposals were necessarily hurried. These people yearn for a stable process which will assure them of the needed time to prepare their thoughts and resources to enter bilingual programs intelligently.

THE LAU-NICHOLS DECISION AND INDIAN PEOPLE

There is considerable discussion among Indian educators to pursue the court decision in California for its application to other minorities. An awakening conviction about Indian rights to learn in their language as well as in English is apparent in many communities.

The recent memorandum of the BIA Commissioner to Mr. Garment is a reflection of this spirit (Appendix III).

OFF-RESERVATION INDIAN PEOPLE HAVE SPECIAL PROBLEMS

Often lost in the urban stereotypes of education policies, native Americans who have left their reservation have an even more difficult time in finding appropriate instruction for their children. Some states have made special attempts to provide bilingual education for their Indian populations in public schools. But statistics would indicate that for the most part, a situation not unlike the Lau complaint exists for urban Indians. They have no choice except the "melting pot" mold of monolingual English schooling for their children.

Mrs. CHISHOLM. Our last witness this morning will be Dr. Amelia Ashe, professor from the City University of New York, the Consortium for Bilingual Counselor Education, and Congressman Benitez will introduce Dr. Ashe.

Mr. BENITEZ. It is a great pleasure and honor to introduce this distinguished educator and professor at the University of New York and head of the bilingual/bicultural Counselor education program there, which operates in conjunction with several institutions of higher education in Puerto Rico, including the University of Puerto Rico.

Although, as you will see, Dr. Ashe has done a commendable job and is a person of excellent qualifications, she has struggled, as many others are struggling, with the responsibility of achieving a task of incommensurable responsibilities and goals as against the resources which are provided for fulfilling that job.

STATEMENT OF AMELIA ASHE, PROFESSOR, THE CITY UNIVERSITY OF NEW YORK, CONSORTIUM FOR BILINGUAL COUNSELOR EDUCATION

We are very happy to have you.

Dr. ASHE. Thank you, Mr. Benitez.

Honorable Chairwoman, honorable members of the general subcommittee, I am Dr. Amelia Ashe, professor, Richmond College of the City University of New York, also chairman of the Committee of Coordinators of the Graduate Programs in Guidance and Counseling at the City University of New York. I am here at the invitation of the Honorable Carl Perkins and appreciate the opportunity to testify on the issues before this committee.

Last year, 1972–73, I was director of a special project—the Consortium for Bilingual Counselor Education. We have heard that we need teacher training for bilingual teachers. With that goes other personnel that the schools need such as counselors who are at the heart of the system in many ways, administrators as well as teachers, and I hope that when they say "educational personnel development," they are talking about counselors as well as teachers and administrators.

Members of the consortium are Richmond College of the City University of New York, Catholic University of Puerto Rico, Inter American University and the University of Puerto Rico. Aspira of America was and is a participating member. Funding sources for this special project were HEW—OE, DOL, HRA, and the Ford Foundation. In this program—1972–1973—which was a pilot program, 39 student participants earned their master's degree in guidance and counseling as well as permanent certification as school counselors in New York State.

Each student participant received five or six job offers for the September 1973 job market and all are now employed as counselors or counselor educators in New York City and in Puerto Rico. [See attachment I.]

Through the summer of 1973 and the fall semester, 1973, the City University of New York released me from my regular duties to follow up the student participants in the field to see what happened to them as an outcome of their education, and to generate funding for a second cycle of the Consortium for Bilingual Counselor Education—1974–75—which many people believed was essential for bilingual counselor education.

By January 15, 1974, we had sufficient moneys committed to begin a second cycle with 90 students studying at the consortium universities. So this year, 1974–75, I am again director of the consortium. In Puerto Rico again, Prof. Etheldreda M. Viera of Catholic University is codirector.

By February 1, 1974, we had interviewed some 400 baccalaureate students to select our 90 student participants, staffed the program, and set up calendars for activities in February and March, and secured university facilities for space and services to open our second cycle on the target date of February 1, 1974.

By any index—jobs, income, education, housing, unemployment, business—the Puerto Rican condition in New York and New Jersey presents a deplorable picture. [See attachment II.] The employment needs of the Spanish speaking are overwhelming. Within the immediate New York area alone, the CAMPS plan for fiscal 1970–71 shows that the unemployment rate for Puerto Ricans is twice as high as that of the white community and almost one-third higher than that of the black community.

When Puerto Ricans are employed, they occupy the lowest paying jobs with 42 percent of Puerto Rican men earning under $4,500 per year while 26 percent of white males and 30 percent of black males earn under that amount.

Such a condition is not solely the result of prejudice and stereotyping; it also has roots in the educational and training levels of the Spanish speaking. The same CAMPS report shows that only 3 percent of Puerto Rican men have more than 12 years of schooling while 22 percent of white men and 8 percent of black men have gone beyond that level of education.

The younger Puerto Rican population, those in the schools, has the potential for improving on these statistics, for raising the educational level, for moving into employment, for raising their aspirations and their levels of employment. This type of development might take place in the schools of New York City, where Spanish-speaking youngsters constitute over 25 percent of the public school population.

Yet, the shameful truth of the matter is that in these schools where education should be gained, where aspirations should be raised, where careers should be discovered and pursued, 57 percent of Puerto Rican youngsters never make it to high school graduation; a dropout rate 11 percent higher than the already high black rate of dropping out appears to be fixed.

Records of high schools with heavy Puerto Rican enrollment show a truancy rate of 45 percent and for this population of 300,000 Spanish-speaking youngsters needing direction, needing models, needing guidance, there are fewer than 20 bilingual counselors in the New York City public schools.

Who is there to set models for raising aspirations? Who is there to relate linguistically and culturally? Who is there to recommend colleges or training or programs? Who is there to open the world of occupations and careers and help these youngsters select the type of preparation which can get them better opportunities?

Moreover, as to currently available full-time professional personnel in the New York City public schools—1970–71—the ratio of pupils to teachers, counselors, or administrators is 1 to 7 for white students, 1 to 71 for black students, and 1 to 297 for Puerto Rican students.

I have a chart attached that you can look at for that information.

The Consortium for Bilingual Counselor Education was created to train bilingual professionals who can begin to speak to the needs I have outlined above.

With such overwhelming need, should it not have been simple to fund a project which undertakes to: Increase the number of certified licensed counselors in New York State and in Puerto Rico who have had university and in-service training in both island and mainland schools and agencies; build an academic bridge between City University of New York and Puerto Rico's universities, providing a model for future joint programs; and test a competency-based, field-centered program in a bilingual and bicultural mode.

In addition, the very structure of the program, a reciprocal developmental education and work experience, provides, while learning, opportunity for 2 full days of work in the field. This is not only a training program but also a service program.

Our counselors work in schools—public, private, and parochial—in community colleges and in senior colleges. They work in a variety of community agencies: detention centers for youth, with the fortune Society, in drug programs, recreation clubs, MFY centers and in other Department of Labor projects.

Staff development is an important facet of the project. With the exception of the director, in 1972–73 and now in 1974–75, all staff and student participants were and are of Puerto Rican heritage. Again, with the exception of the director—Ph. D.—all staff is credentialed at the master's level.

Of seven staff members who work directly with students, four are graduates of the 1972–73 Consortium for Bilingual Counselor Education. Plans are even now underway for arranging doctoral study for staff and graduates at Temple University, Boston University, Michigan State University, State University of New York at Albany, New York University, and other major institutions in their counselor education programs.

Students are partners in teaching and learning—occasionally one is asked to prepare to teach a unit; for example, using the "Dictionary of Occupational Titles." In our view, students are not passive vessels to be filled with facts, figures, and formulas. On the contrary, they are active participants in the learning, and in real life situations.

Hand in hand with heavy theoretical inputs, there is real experience: in developing relationships with all their clientele, parents, teachers, students, administrators; in coping, in dealing with bureaucracies and frustrations, in navigating and negotiating the social systems they are working in.

Our students need to assume responsibility both for learning and the application of what they are learning. We try to develop in them the skills they will be developing in their clients: problem-solving, decisionmaking, coping skills, constructive interaction with others, creative approaches, and constructive use of their time.

They have immediate use for the skills they are acquiring, and we have immediate feedback if they need skills other than those we have conceptualized. And if we tune in on them, they often tell what our next "substantive module" of learning should be.

This model of counselor education is relevant and workable beyond our highest hopes. It was experimental last year. The greatest dividend or byproduct is the student participants' increased interest in, and motivation for, learning, and thus more learning. They also gain great confidence in their competence as they grow in poise, judgment, tact, and sensitivity. They learn to listen and to respond with rational and logical arguments. They can and do challenge and dispute the textbook writers whom they do meet in the learning modules. They challenge pleasantly, coolly, and pointedly.

Funding for the 1972-73 Consortium for Bilingual Counselor Education was at the level of about half a million dollars. In a time span of two summers and one academic year at an average cost of $11,000 per student participant, including stipending at $3,600 over the life of the program, we carried through our project.

For the 1974-75 Consortium for Bilingual Counselor Education, we are budgeted at $1.12 million. In three full semesters beginning February 1, 1974, and ending June 30, 1975, at an average cost of $12,500 per student participant including stipending at $3,900 over the life of the program, we are now in full operation for our second cycle of the consortium.

I want to come back during the question period to the question of the economics of this and the cost of this and the reasons for stipending. I met with much difficulty with the cost of funding and I would like to talk about it, but I will go on right now.

What are the problems in raising such sums of money for a project of this kind? In a word—incredible. One needs some steadfast friends totally committed to making a beginning in what is a herculean task. Among such friends were Dr. Benjamin Rosner, dean of the office of teacher education at City University of New York during the 1972-73 consortium; Dr. Max Weiner, currently acting dean of the office of teacher education at City University of New York; Mr. Edward J. Meade, Jr., of the Ford Foundation; Miss Jayne Gallagher, of Senator Buckley's office; Mr. Julio Rodriguez, who acts as consultant and representative in the Puerto Rican community for the consortium; and Mr. Armando Quiroz, Mrs. Petroamerica Colon, and Mr. Edward Aponte of the U.S. Department of Labor. The Honorable Herman Badillo and Don Jaime Benitez, and the staff in the Commonwealth office have also been staunch supporters.

The U.S. Department of Labor has always and still recognizes the potential impact of this program, carrying as much as half the cost. The U.S. Department of Labor recognizes the potential influence of well-prepared counselors on short- and long-range vocational career decisions, and on immediate employment needs. Paradoxically, the Office of Education has had extreme difficulty in providing any dollars to support this kind of project with its obvious academic impact: in upgrading counselor education, in its innovative use of time and its creating a learning environment which encourages the development of self-motivated learners who examine their experience as they develop the communication skills vital to the professional counselor.

Of $240,000 committed to the 1972-73 program by the Office of Education, we realized only $150,000 of the $240,000 promised by a letter of intent—which even then represented less than half of what was requested. Only by massive intervention were we able to retrieve from impounded funds an amount which left us $100,000 short of our budgeted requirements.

For this 1974-75 cycle, we have been in endless and expensive negotiations for a $200,000 request to the Office of Education to provide a matching basis for the U.S. Department of Labor's commitment.

We go round and round from Washington to Puerto Rico, to Albany, to New York City, in pursuit of ephemeral revenue shared funds. We are faulted because we do not write our proposal to fit categorical legislation, and we appear never to fit into fixed dates of submission, notification, and award.

Time being finite, the original and innovative interventions not even dreamed of in the usual guidelines, our proposals have failed to fit into the usual molds. We have been shunted from higher education, to EPDA, to bilingual, to Labor, and even to HUD and OEO.

The Chairman. Excuse me one moment. There is a very important vote on the floor right now and we will have to vote and we will return forthwith.

So just relax for a moment and we will return forthwith. Mr. Benitz is here and has kindly offered to preside, so you can continue.

Mr. Benitez. Dr. Ashe, one of the disadvantages of the Resident Commissioner, which turns out to be an advantage at this particular moment, is that he doesn't have to go and answer a floor quorum call or vote call.

Mrs. Chisholm. Excuse me, we are afraid we won't be able to come back because they are moving immediately into ESEA so we have to be on the floor for that.

Dr. Ashe. We understand. Good luck.

Mr. Benitez. Will you therefore continue. Before you proceed, let me add at this point that your full statement will be placed in the record, together with the appendices and tables. Thank you.

Dr. Ashe. At present, the manner of legislating guidelines and categorical funding structures creates a situation in which professional proposal writers write proposals for available money in the imposed form—regardless of genuine needs. A professional educator identifies the need, and attempts to fund a program that is specifically directed at meeting real needs which cry out for amelioration.

The university in New York and those in Puerto Rico have recognized their responsibility to train, in nontraditional programs, professional personnel who can function in our complex and problem-ridden society. It is frustrating to hear again and again that the program set forth in our proposal is much needed, excellently conceived, and merits funding—but that is belongs to some other office.

Last October in 2 days in Washington, I spoke with 16 people in 8 to 10 different areas of the Office of Education who were enthusiastic about the program concept and sympathetic to the need. The proposal didn't fit their area—or they had no money.

I visited Dr. John Ottina's office to object to being disappointed for procedural rather than for substantive reasons. I visited the Office of Secretary Weinberger: the rationalization there was all the available moneys had been sent out to the States.

Nevertheless, we have through great struggle, with much anxiety, pieced out the funding. We have been obliged to take some risks, great risks, a kind of Russian roulette, I would say, in that we are already in operation although some $400,000 of our $1,128,000 is still in negotiation stages. One must be made of stern stuff to persist in the face of such difficulties.

But our counselors already in the field are making a difference in the lives of people. They are servicing a population hitherto short-changed, defeated victims of a vicious cycle of low education, low-status positions, complicated by poor language skills.

Some of the answers may lie in a structure for funding which responds to demonstrated needs—where there is more than emotional commitment on the part of the funders, but dollars to begin to deal with priority programs that attempt to deal with real problems.

I sincerely appreciate your attention to this matter and stand ready for your questions or comments.

[Appendixes submitted by Dr. Ashe attached.]

CONSORTIUM FOR BILINGUAL COUNSELOR EDUCATION, 1974, 1975—PLACEMENT RECORD OF CONSORTIUM GRADUATES

[As of Mar. 1, 1974]

	Community or Government agency	Elementary or secondary schools	Community colleges	Senior colleges	Total
Counseling	2	2	9	11	24
Community relations	1	5			6
Teaching (college level counselor)				1	1
Consultant-trainer in agency or college	1			5	6
Curriculum planning in guidance		1			1
Not working [1]	1				1
Total	5	8	9	17	39

[1] 1 student-participant, as the result of a marital separation agreement, is at home with infant twin sons

Note: All students received at least 5—some as many as 12—offers of positions.

TABLE III.—ETHNICITY OF PUPILS AND FULL-TIME PROFESSIONAL PERSONNEL IN NEW YORK PUBLIC SCHOOLS, 1970-71

Ethnicity	New York City			New York State Outside of New York City			New York State Total		
	Pupils	Personnel[1]	Ratio	Pupils[2]	Personnel	Ratio	Pupils	Personnel	Ratio
Spanish-surnamed Americans	292, 664	396	1:293. 8	24, 547	349	1:70. 3	317, 211	1, 345	1:235. 8
Puerto Rican	259, 879	876	1:296. 8	21, 822	314	1:69. 5	281, 701	1, 190	1:236. 7
Other SSA	32, 785	120	1:271. 9	2, 725	35	1:77. 9	35, 510	155	1:229. 1
Black	393, 516	5, 489	1:71. 7	149, 339	2, 816	1:53. 0	542, 855	8, 305	1:65. 4
Orientals	17, 115	224	1:76. 4	9, 789	182	1:53. 8	26, 904	406	1:66. 3
American Indians	607	10	1:60. 7	4, 567	66	1:69. 2	5, 174	76	1:68. 1
Others	436, 457	61, 038	1:7. 2	2, 177, 165	128, 442	1:17. 0	2, 613, 622	189, 480	1:13. 8
Total	1, 140, 359	67, 757		2, 365, 407	131, 855		3, 505, 766	199, 612	

[1] Number of Puerto Rican staff estimated to be 90 percent of total Spanish-surnamed Americans.
[2] Number of Puerto Rican pupils outside New York City estimated at 88.9 percent of total Spanish-surnamed Americans outside of New York City.

Source of data: New York State Education Department, Information Center on Education Ethnic Census, Public School Students and Staff by School and District, 1970-71

THE PUERTO RICAN CONDITION

A major socio-economic study conducted by the National Puerto Rican Forum in 1964 (updated in 1970) disclosed the following statistics about the Puerto Rican Community of New York City:

Jobs.—70.6% of the employed Puerto Rican males were in low-income occupations; 78.2% of the female Puerto Ricans worked in low-income occupations; three out of every four Puerto Rican City employees are at the level of operatives or below. (Only 3% of the City employees are Puerto Rican.)

Income.—33.8% of Puerto Rican families have income less than $3,000 a year; year; 53.7% have incomes of less than $4,000; 87.7% have incomes of less than $7,000. Only 3.1% have incomes of $10,000 or over.

Education.—Only 9.9% completed high school; 17.2% completed elementary school; 16.9% have 1–3 years of high school; 52.9% have less than a completed high school education. Only 0.9% completed 4 years of college.

Housing.—87.3% of the Puerto Ricans in New York City live in housing built before 1939; 3.9% in housing built 1940–49; 8.8% in housing built after 1950. 10.4% of the housing is dilapidated, and 29.7% is deteriorating.

Unemployment.—One in ten Puerto Ricans in the labor force is unemployed. Of the Puerto Rican male labor force 14 to 19 years of age, 19.7% were unemployed. Male and female combined in the same group reached 17.4%; 10.7% of the males and 12.4% of females between 20–24 years of age were unemployed.

Business.—There are only 1,884 Puerto Rican-owned businesses in New York City for a total New York City Puerto Rican population of 1,100,000 people—compared to one for every twenty persons for the community as a whole.

The Puerto Rican Congress of New Jersey has compiled the following information relating to Puerto Ricans in the state of New Jersey:

> 68% of Puerto Ricans in New Jersey live in deteriorating and/or dilapidated housing.
>
> Puerto Rican students have the worst dropout rate of all students in the state.
>
> One out of every seven Puerto Ricans in the New Jersey labor force is unemployed; two out of every seven are under-employed.
>
> There are over 10,000 Puerto Rican drug users in New Jersey.
>
> 46% of Puerto Rican women in the labor force have pre-school children, with only one bi-cultural, bilingual day care program in the entire state.
>
> 90% of the farm workers in New Jersey are Puerto Ricans. While millions of dollars are spent in the mechanization of agriculture not one cent is being allocated to up-grade the farm workers skills.

Mr. BENITEZ. Thank you very much for your excellent testimony, Dr. Ashe.

There are a few questions I would like to raise at this point. The first one is this: You have heard the testimony of all of the witnesses to the effect, and all of the other testimony has been introduced also, that there is a shortage of personnel and that such personnel could not be made readily available. Concerning your particular program and the work in which you have been engaged, how would you respond to this inquiry?

Dr. ASHE. I want to respond in two ways to that. There certainly is an insufficiency of personnel, but the insufficiency of personnel demonstratively does not lie in lack of available people to be trained. We interviewed 400 people for 90 places. When you consider that only 0.9 percent of the Puerto Rican population holds baccalaureate degrees, that 400 of them could have applied for this program, I think that speaks volumes of their need for further professionalization in places where they could commit their energies to serving their people.

Mr. BENITEZ. Assuming there were no financial limitations and that the only limitations that were involved were the limitations of making readily available the necessary personnel and training within a short span of time, what would be, if you were able to make a guess, your guess as to the potentials of this program in which you are now engaged?

Dr. Ashe. We have a model here for training people in a bilingual and bicultural mode respecting their language, helping them move freely from one language to another, of studying their culture with respect, giving it the dignity it deserves, of giving them an experience on the island and on the mainland, because what we have is a back-and-forth migration problem and a recognition that the two peoples must be one.

We also, I think, well, I would like to put into the record something that was not quite stated in all of the discussion of what has happened with other minority groups.

I, too, am a child of immigrants. I was educated within the city university system of New York. That was a free public education. Without that I could not be here today or be doing some of the things I am doing. I have the advantage perhaps of a white skin. I treasured my own culture. I was stronger in the new adopted culture which we loved because I could treasure my own culture and keep it.

It is our responsibility now for American citizens, be they Indian or Spanish-speaking, to extend to them the privilege of education, meaningful education that they can take, that they can absorb, that fits them, not that fits some old mold that was developed in the past ages.

They are born citizens of the United States. They are entitled to their birthright. And our schools filled with Spanish-speaking children and black children in New York City are the well from which we must take our college population in the next few years. We need counselors who can address themselves to the needs of these young people and we need to train them rapidly, because we have been resistant in the past or indifferent or, though not meaning to do the wrong thing, we have done the wrong thing in insisting that only highly verbal English-speaking people should benefit from education.

Mr. Benitez. I was endeavoring to induce you to address yourself to the question of budget, on the one hand, and performance, on the other. I can assure you that this subcommittee and I think the Congress throughout will be very much interested in effective programs and in financing these programs with greater resources and greater investments.

Dr. Ashe. I want to address myself to that. That is what I said when I stopped at the paragraph that I stopped at. Since a bachelor's degree, a baccalaureate degree is such a rarity among the Spanish-speaking population, many people tend to scoff at the notion that those who already held baccalaureate degrees need any help. Those people, though, are survivors of a system that is intentionally or unintentionally designed to murder them.

They come through with great difficulty. They are already in debt. To ask them to undertake graduate education that is very expensive is not right.

Mr. BENITEZ. Are you referring to the ones in New York City or the ones in Puerto Rico?

Dr. ASHE. More, the most part I think, in New York City, but I think it is true with those in Puerto Rico, too. We have done our recruiting there among the people from the inside and more rural parts of the island, not from the upper class, for the most part. Almost—well, one of the criteria of admission to the program is that otherwise this opportunity for graduate education would not have been possible for them.

If they can buy it somewhere else themselves and if they have resources and means, they don't need this. For this reason we have insisted on a minimum stipend for those selected and "free tuition." That, of course, makes the program "expensive." I am putting that in quotation marks because you have to match that against the fact that a couple of years ago I had a figure that said it cost $8,000 to keep a child at Riker's Island. I think it is even more than that to keep a person in a mental institution or in a penal institution.

After we have maintained them at public expense 1 year, the next we have the same thing and the next year we have the same thing and the next we have the same thing, and it costs us millions and millions of dollars to maintain people whose only crime really may be that they were not in the way of opportunity.

Here, now, at a cost of $8,000 for 1 year and $4,000 for the half-year we can have them stipended, trained to help others. They become very heavy taxpayers. Our students who graduated last year, (their median earning ability right now is $14,000), are paying upwards of $3,000 back to the Federal Government the 1st year they work. The 2d year they work it is more and the 3d year they work it is more. They repay it.

I think it is simply incredible, again, that the Office of Education is without the power to make it possible for people to become taxpayers by funding them into a profession where they can then prevent other people from becoming public dependents, in jail, in mental institutions, in drug programs.

Mr. BENITEZ. Well, while you were in Puerto Rico, did you have an opportunity to participate or to see or to become acquainted with the other side of this problem, the Puerto Rican children who were born in New York City who came back to Puerto Rico and were deprived in Spanish?

Dr. ASHE. Well, I am delighted you asked. I put into this folder a letter written to the San Juan Star, Saturday, March 24, 1974, signed by Emirza Ponce of Hato Rey. The Star had been featuring an article or series of articles that "Faulty Spanish Plagues Pupils from the Mainland" and I have found these extremely interesting. She says.

> Some years back I was one of these transfers. Although born in Puerto Rico, I left when 48 months old. For the first 14 years of my life I lived in different Army bases in the United States and Europe. Spanish was spoken in the home, but that was all, and I never had an opportunity to read it or write it at the time.
>
> Our social and academic lives were centered completely around Army bases where English was the primary language spoken.

She goes on, until she comes back to Puerto Rico and the despairing hopeless situation of the group that she was in. She says,

> We were never given a chance to answer in class or help correct an examination. The Spanish was laughed at and there was no challenge in English classes. Everything that was being taught there was being taught 2 or 3 years ago. As time went on the situation became more despairing and our small group became even closer inspired by a common need of understanding of what was becoming a hopeless situation. How we prayed soon that daddy would come back alive and well from Vietnam and we could leave again, for if he didn't come back, we would be stuck in this horrible situation and college for many of us would be out of the question.

The problem there, she says, is that she is a stranger in her own land, not accepted because her Spanish is not as good as the Spanish of people around here.

We need counselors both in Puerto Rico and in New York, because as we get the back-and-forth migration, the children who can go back to school in Puerto Rico are unfortunately handled by school personnel in the same brutal way that they are handled in New York City schools by school personnel.

> You don't know our language, you don't have our manner, you don't know how to behave yourself, therefore we are going to assign you to classes for the mentally retarded.

We do some very, very brutal things in education and this is the kind of thing that happens.

Mr. BENITEZ. The reason I asked the question is because you would be glad to know that the Secretary of Education of Puerto Rico came here to testify on this precise issue and, of course, the funds that are available for that are ridiculous for our present 35,000 Puerto Rican students who do not know Spanish in Puerto Rico.

Dr. ASHE. Right.

Mr. BENITEZ. And I underscored with him the fact that we were giving these children, in reverse, the same treatment that we had been complaining about in the States.

Dr. ASHE. In New York, right.

Mr. BENITEZ. Which innocence proves that the nationalistic parochialism of the monolingual approach is not necessarily limited to the people in the States, but it is also present or has been present in our case and what I am happy about is that the Secretary of Education and the Government of Puerto Rico has seen the irony of this situation and have committed themselves to rectify it.

Dr. ASHE. Not only committed himself there, but signed a proposal we generated for the school district where many of these children are and we are calling it the Padine project in the Padine High School, which is in the office now, and this is part of the reason we are brave enough to stock, we hope the money will come through from the Office of Education on Title VII calling for a joint effort by the Padine High School personnel in teaching language and our consortium in giving these young people counseling to give them supportive services to help them to learn, which is after all the function of counseling, to facilitate learning.

Mr. Benitez. I have no further questions, but do you have any additional statement or additional expressions you wish to make in connection with this testimony?

Dr. Ashe. Yes, I would like to say I am a little sensitive about being the director of this project and not being Puerto Rican. I tried very hard to find after we wrote the proposal, a Puerto Rican who could and would do it. There is no one who is Puerto Rican who holds a doctorate degree in guidance and counseling. For the *credibility of the degree, I have to be here.*

I like to think, too, of myself in an organization of change agentry as a linkage person, one who is sensitive to the problems that exist and one who can move in the educational establishment with ease and that my role is a facilitating role here and I promise to get out of the way as soon as we have brought our students and staff that we have now up that doctoral ladder that we are planning and let them take over and do for themselves.

Mr. Benitez. Let me contradict you on this, too, as I have contradicted others. In Puerto Rico, as you know, we have had this problem of language with us for now 76 years and while we appreciate there are people whose native tongue is English and they are best at that and others whose native tongue is Spanish and they are best at that, we have also discovered that with languages there is an ultimate language of human understanding and human commitment, two important things, and appreciation, and that language is the basic one and you speak that fully.

Dr. Ashe. Thank you. Again thank you for your time.

Mr. Benitez. The meeting stands adjourned and we will resume tomorrow at the same time.

[Whereupon, at 12:30 p.m. the subcommittee recessed, to reconvene at 9:30 a.m. of the following day, Thursday, March 28, 1974.]

BILINGUAL EDUCATION ACT

THURSDAY, MARCH 28, 1974

HOUSE OF REPRESENTATIVES,
GENERAL SUBCOMMITTEE ON EDUCATION
OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to call, in room 2175, Rayburn House Office Building, Hon. Shirley Chisholm presiding.

Present: Representatives Chisholm, Biaggi, Bell, and Lehman.

Staff members present: Jack Jennings, subcommittee counsel; Toni Painter, secretary; and Christopher T. Cross, minority legislative associate.

Mrs. CHISHOLM. The General Subcommittee on Education will continue hearings on the question of bilingual education.

The chairman was unavoidably detained. We hope he will be able to get here a little later. But it is important that we commence the hearings and that we continue.

The first witness this morning will be Hon. Frank Carlucci, the Under Secretary of the Department of Health, Education, and Welfare.

Welcome, Mr. Carlucci. You may introduce the other persons who are part of your panel.

Mr. CARLUCCI. Thank you, Mrs. Chisholm.

To my right is Dr. John Ottina, Director of the Office for Education.

To his right is Dr. John Molina, Director of the Division of Bilingual Education of the Office of Education.

To his right is Mr. Homero Acevedo, Education Program Specialist, Office of Equal Educational Opportunity Programs of the Office of Education.

To my immediate left is Mr. Charles Cooke, Deputy Assistant Secretary for Legislation (Education), HEW.

To his left is Dr. Thomas Glennan, Director of the National Institute for Education.

STATEMENT BY HON. FRANK C. CARLUCCI, UNDER SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Mr. CARLUCCI. Madam Chairman, members of the subcommittee.

I am happy to appear before your subcommittee this morning to discuss the policy and program implications of the *Lau* decision on educational programs to assist students who are disadvantaged because of limited or non-English-speaking ability.

The Supreme Court decision in *Lau* v. *Nichols* focuses our attention again on the special problems of some children in our society in achieving equal access to educational opportunities available to others in their community and the need for the public school systems of this country to deal explicitly and effectively with such problems.

In its simplest terms the Supreme Court in *Lau* affirmed the responsibility of local educational agencies, LEA's, to comply with Title VI of the 1964 Civil Rights Act and HEW regulations and guidelines issued pursuant thereto. These guidelines and regulations require that school districts take affirmative action to rectify the language deficiencies of limited and non-English-speaking children in such a fashion that they may enjoy equal access to the education opportunities provided to all other students by the school system.

In the *Lau* case, no specific remedies were sought and the Supreme Court prescribed none, but rather remanded the case to the district court level for "fashioning of appropriate relief." The Court therefore left open the nature of the appropriate relief required as do our HEW Title VI regulations and guidelines. But while much about the nature and application of remedies for English language deficiencies remains unclear in the Court's decision, it is clear that local educational agencies are obligated to develop effective affirmative action programs for dealing with such problems, and that HEW, under Title VI, should continue to enforce its regulations and guidelines pertaining to such obligations.

There are several dimensions of both the educational problems of students of limited English-speaking ability and potential solutions to their problems which distinguish the needs under discussion today from other special educational issues facing our school systems. I will deal with those distinguishing characteristics shortly. But first it seems to me important to deal with the characteristics which this issue has in common with other special educational problems—those of handicapped students, the student involved in schools undergoing desegregation and educationally disadvantaged students—to name some of the most prominent examples. All of these problems have a common dimension and all raise the question of the proper Federal role in seeking solutions.

In each case, LEA's across the country are being required, as a matter of Federal statute, Federal or State court order, or just sound public policy, to provide specific educational opportunities for students with special problems. The State and LEA response has ranged from ignoring such problems, to dealing with them inadequately, to doing an excellent job within the constraints of fiscal capacity.

Providing sound educational opportunities for students with special problems can enable them to become productive or self-sufficient citizens of the Nation as well as of the localities and States in which they live.

While there are exceptions, such as some types of handicaps, the distribution of students with special educational problems is often uneven geographically. They are usually concentrated in a limited number of States or in a limited number of districts within a State.

Dealing effectively with these special problems usually involves some additional costs though these additional costs may vary in duration. Desegregation cases would be an example of short-term requirements for special funding whereas education of the severely handicapped would be a problem of long-term duration. The additional costs may fall unevenly, due not only to differing concentrations of students having such problems, but also because of the differing character of the problem and the nature of an appropriate solution. As an obvious example, minor speech defects are much simpler and less costly to deal with than serious mental retardation, and similarly, special education for a high school immigrant youngster who is already fluent and literate in one language is far less costly than that for a youngster from the barrio in his first years of school who is literate in no language and speaks only nonstandard Spanish.

Within this broad framework, it is appropriate to explore the roles which should be played by the local, State, and Federal levels of government. Clearly, most would agree that the educational system which directly serves students, with or without special problems, should be operated predominantly at the local level. Only in rare instances where a special problem is so infrequent that few if any States would be able to operate a program or facility economically should the Federal Government consider assuming responsibility for the direct provision of the special services required.

On the other hand there is a clear Federal role and responsibility in conducting a vigorous civil rights compliance enforcement activity—not because LEA's and States are necessarily unwilling to achieve voluntary compliance with the law, but because the Federal Government is obligated to ensure that such compliance actually occurs. That is, we must ensure that Federal statutes and court decisions requiring State and local educational agencies to address special educational needs so that all children are provided a sound and equal educational opportunity are carried out. I would note that the growing awareness in all sectors of the legal and educational community of the need to ensure equal educational opportunities has greatly reinforced the importance of a comprehensive Federal civil rights compliance/enforcement strategy.

Beyond a Federal civil rights compliance/enforcement strategy, a generally accepted Federal role would include research, testing and dissemination of educational approaches, models, and techniques for teaching students with special education problems. This capacity building role would include such related activities as curriculum development, teacher training and technical assistance to States and LEA's attempting to meet their obligations to provide equal educational opportunities to all students. While these activities are obviously not exclusively Federal, and should not be, the ability of the Federal Government to mount such efforts with the needs of the entire Nation in mind makes it an obvious and substantial participant in such endeavors.

In turning to the question of who should provide financial support for the actual provision of educational services, and on what basis, we move onto much more controversial and less clear ground. That question—specifically with respect to the Federal role—however, is now before us in the education policy implications of the *Lau* decision and, indeed, most special education problems. It is both a complex and important question and we all need to think about it as carefully and clearly as possible.

One school of thought would simply embrace all special education costs as a Federal responsibility with the Federal Government underwriting the entire incremental cost of providing special education services. I do not believe that a persuasive case can be made for this approach on historic, conceptual, legal, or fiscal grounds. Historically, education has been and remains today a predominantly State and local activity. Although our population is increasingly mobile and the benefits of a sound education accordingly do in part accrue to the Nation as a whole, those benefits obviously most heavily accrue at the State and local level. Legally, there is an increasingly less persuasive case for Federal intervention in the form of direct educational financial support on the ground that States and localities will refuse to provide such support for wholly inappropriate reasons, that is, in order to discriminate. Federal and State statutes and court orders with resulting appropriate compliance and enforcement machinery are rapidly depriving school systems of the opportunity to avoid such responsibilities.

On fiscal grounds, where the case is often argued most strongly, the basis for total Federal assumption of all incremental special education costs is equally weak. I am particularly troubled by the frequent tendency in discussions of this problem to concentrate solely on the fiscal plight of local educational agencies and to ignore the appropriate role of the States in the provision of educational services. In this regard I would call attention to the continuing deficits in the Federal unified budget—estimated at $14.3 billion in fiscal year 1973 as compared with aggregate State and local budget surpluses estimated at $11 billion in calendar year 1973. We have a situation in which the States are able to address the problems they are confronting as a result of the *Lau* decision. This is especially true because of probable reductions in budget demands on establish State and local tax bases which can be expected to result from decreasing school enrollments.

It seems to me quite clear that many local school systems are fully able to finance, without a large proportional increase in outlays, the incremental cost of providing appropriate educational programs to deal with special problems—especially where the incidence or concentration of those special problems is low and the fiscal capacity of the school district is sound. In those cases where the incidence or concentration of special educational problems is high or the fiscal capacity of the school district is low, I believe that the State has a major role in the equalization process to ensure that all children within the State are provided equal educational opportunities.

As mentioned earlier, I believe that States are increasingly recognizing this obligation in determining the allocation of their fiscal resources. It is interesting to note that 65 percent of the general revenue sharing money which was made available for State expenditures —some $643 million—in the January 1, 1972, through June 30, 1973, period was used to finance educational services, 39 percent of which went for new services.

The combination of the Federal budget deficits versus State budget surpluses plus the demonstrated desire of most States to spend their general revenue-sharing money upon new education services, argues strongly that the increased service costs for equal educational opportunity should be heavily shared by State and local educational agencies rather than solely by the Federal Government.

If there is no solid case for total Federal assumption of costs, is there, conversely, an argument for no Federal financial participation in the provision of services to students with special educational problems? While such an argument can be made on purely intellectual grounds, the Federal Government has already taken the position that it would and should financially support certain high-priority programs where there is a clear Federal interest, such as the title I program for the disadvantaged and desegregation assistance under ESAA to assist LEA's heavily impacted by the compliance requirements of title VI. There is a question, however, as to whether these precedents should apply in the case of limited and non-English speaking students and, if so, on what basis Federal financial support should be provided.

The response to this question leads me back to the special characteristics of the limited and non-English speaking problem and potential solutions. Data on the size and the target population is not precise but we can make some estimates. Using 1970 census data on homes where other than English is spoken and a 1972 survey of the Office for Civil Rights of the traditional national ethnic origin minorities (that is, Asian American, Spanish-surnamed and native American), we estimate the outer bounds of the target population to be on the order of 5 million. Of this total, clearly a number of the young people speak English, although other languages may be spoken at home. Based on a limited sample inquiry among the States regarding actual students in need of bilingual education, we estimate the national population of students falling within the *Lau* definition is between 1.8 to 2.5 million.

This population is not evenly distributed among the States. The greatest concentrations of the traditional national ethnic origin minorities occur in California, New York, and Texas, nearly 66 percent of such children. Using the mother tongue census data, the distribution is not heavily concentrated. But, again using only the traditional national origin minority data, nine States account for 85 percent of the total target population.

Given these estimates of the size and distribution of the target population it would seem appropriate to consider next the nature of appropriate educational programs to rectify English language deficiency. We would obviously like to say much more, and with much more certainty about this subject than current knowledge of the state of the art permits.

Programs to provide competency in English for limited or non-English-speaking children vary widely. They can range from special language tutoring to separate English language instruction classes (and approaches vary widely within this category), to bilingual education to complete bilingual-bicultural education. Bilingual education includes instruction in the native language as well as English, particularly in the earlier grades. No full bilingual-bicultural education involves education in both the native and English languages for most or possibly all courses, with stress on the cultural heritage of the limited or non-English speaking child.

In some areas, educational television, including a bilingual-bicultural component, serves as a valuable supplement to programs offered through the school systems in assisting youngsters of limited or non-English-speaking ability. We believe funds used under this medium should be explored.

Most expert opinion holds that an effective educational program should go at least as far as a partially bilingual approach, but opinion is divided beyond that point. Intuitively, programs—particular for younger children—with a sufficient bilingual component to avoid a negative self-image are preferable from both an educational effectiveness and an equal opportunity standpoint to those which may impart some English-speaking competence but leave a negative self-image on the part of the limited or non-English-speaking child. The particular content of a model necessary to achieve this result, however, has not been validated. We simply do not have firm evidence to embrace any one model to the exclusion of others.

The variations in concentration of limited or non-English-speaking children in a district, the number of different languages involved, and the degree of English language deficiency suggests that different approaches may be appropriate in different situations. In particular, the approach necessary to enable limited or non-English-speaking youngsters presently in the school system to attain competency in English at a grade level commensurate with their age may vary widely.

Amidst all these variations in type of language, degree of proficiency, geographic distribution, and proposed approaches to the problem, it is important that we not overstate our major goal. We believe that goal should be to enable limited and non-English-speaking children to gain the competency they must have in the English language if they are to compete successfully in American society. Without full competency in English they are almost certainly destined to end up in dropout, unemployment or low wage statistics. As I noted above, no program designed to achieve this goal can be a good program if in its effort to achieve English competency the child is left feeling that his native language and background are inferior to that of English dominant children. Ensuring that positive rather than negative emphasis is placed on the child's native language and culture is simply a pedagogically sound and psychologically humane way to achieve competency in English. Nevertheless, the Federal Government should clearly not insist, as some would seem to propose, that all special language programs attempt to support the more extensive cultural interests of the various ethnic minorities in American society. The cultural pluralism of American society is one of its greatest assets. But I believe such pluralism should be a matter of local choice and not subsidized by the Federal Government.

Chairman **Perkins**. Will the gentleman yield for a moment?

First, let me thank the distinguished lady from New York, Mrs. Chisholm, for commencing the hearing this morning. I wanted to be here promptly at 9:30 this morning, but I was delayed at another meeting. And, I must leave here soon to attend another subcommittee meeting now in progress. But, I want to thank you, Mr. Secretary, for your appearance here this morning.

Mr. Secretary the appropriations for bilingual education are being cut back from $53 million this fiscal year to only $35 million for fiscal year 1975, and the budget proposes elimination of the bilingual education program under the Emergency School Aid Act. You are giving great support to this program in your testimony today, and it makes me wonder if you would object if we were able to obtain increased appropriations to do the job that should be done for bilingual education.

Mr. **Carlucci**. Mr. Chairman, that subject is covered on page 13 of my testimony wherein I indicate that we will seek a budget amendment in the fiscal year 1975 budget submission for an increase of $35 million for the title VII program. That would be doubling, in effect, the present budget request.

In addition, we would seek a budget amendment for funds for NIE to allow them to do some additional research in this area. That budget amendment would be for $4.5 million.

Chairman **Perkins**. Mr. Secretary, many members of this committee feel that we should enact a separate bill to strengthen the bilingual education programs in addition to what we already have.

I would like to have your comments along this line.

Mr. **Carlucci**. Thank you, Mr. Chairman. In terms of a separate bill we think that this is a very serious issue and a very fundamental issue to get into the whole question of the appropriate Federal role in financing education.

There are some characteristics of this problem that are akin to title I, in a sense. Linguistic disability is an educational disadvantage. There are some characteristics that are similar to the ESAA program in terms of impacting particular educational agencies and particular districts and in terms of start-up costs for training bilingual teachers. The incremental cost is not so great in the long run.

Then the complexity of that issue and the overlap between title I is about 40 percent overlap between Title I and the children that we think would be impacted by the *Lau* decision, given the complexity of the title I formula and the whole process that involves.

We think it is preferable to have a more extended dialogue on the subject and in the interim to send up the budget amendment that I have just outlined, increasing the title VII program.

In other words, we think that title VII program should be expanded and we ought to have an extended dialog with this committee on these issues.

Mrs. **Chisholm**. Thank you, Mr. Chairman.

You may continue, Mr. Secretary.

Mr. Carlucci. Given the range of programs which may well be appropriate in the light of our present knowledge to assist in solving the problems of limited and non-English-speaking students, it is appropriate to consider next the nature of the costs to put such programs in place. These costs appear to be characteristically and predominantly one-time or temporary in nature. For those school districts which have as yet made no response or only a limited one to English-speaking deficiencies, bilingual teachers or aides must be hired and trained and appropriate educational materials must be purchased or supplemented. Once these initial investments are made, however, the costs of instruction should begin to fall off and return to, or close to, normal costs of instruction.

Such a cost curve, rising initially and then declining, is probable because once the teachers are in place and the educational materials are purchased, there should not be a significant increase in either the number of teachers or the amount of curriculum materials over which would otherwise be required. The resources will be different in kind but their cost should be roughly the same. Instead of being in classrooms receiving little or no help from unskilled teachers and aides, the children with limited or non-English-speaking capability would be in classrooms with skilled teachers or aides and educational materials appropriate to their needs.

The foregoing analysis of the problem suggests two general avenues to pursue in searching for a solution. On the one hand, the appropriate Federal role in the support of *Lau* mandated efforts carried out by local schools would in some ways be like the Federal role represented in title I of the ESEA. The similarity is that we are dealing here with a problem of assisting school systems to provide extra help to individual students so that they will be able to take full advantage of the educational opportunities provided by the schools. In this regard, as you know, title I funds can now be used for bilingual education and there is some overlap between the target groups for Title I assistance and bilingual programs.

On the other hand, the problem which school districts will face in meeting their obligations to limited and non-English-speaking students is likely to be of relatively short duration, since is is primarily a matter of making certain initial investments and incurring startup costs. This perspective on the problem suggests that an approach similar to the Emergency School Aid Act would be most appropriate, with Federal funds made available for the limited period in which the school districts are implementing the first stages of a compliance plan with title VI as upheld by *Lau*.

It is not now clear which of these approaches is better, and the choice is an important one. Each has its advantages and disadvantages. The title I approach most clearly conceptualizes a Federal responsibility running to the individual child. However, additional aid through title I would require special mechanisms to assure appropriate concentration of aid where the most children in need of assistance are located. Moreover, it would be a considerable departure to adjust the title I distribution formula to a need which is largely for startup resources and time-phased with action to come into compliance with legal requirements.

The ESAA approach could deal effectively with most of the difficulties in the title I approach but would leave unresolved the problem of dealing with the overlap between compensatory education for limited and non-English-speaking students and separate assistance in meeting their language problems.

Consideration of these alternatives both within the executive branch and between the department and your committee will require more time, Madam Chairman, than is available given the urgent need to complete action on this year's bill. In the meantime, however, we need to proceed with some actions which are clearly desirable. Our specific proposals are the following:

First, we would work through the title VII program and will seek a budget amendment in our fiscal year 1975 budget submission for an increase of $35 million for this program. This would permit the Federal Government to allocate more funds for training, selected projects and curriculum development for the benefit of children and school districts in greatest need, leaving until later the development of a long-term approach to the problem.

Second, we would recommend a budget amendment increasing funds available to the National Institute of Education for research and related efforts in bilingual education in the amount of $4.5 million.

These two actions, together, would permit us to make progress in helping the Nation's schools develop the educational approaches, manpower resources and conduct some projects which will be necessary whatever future approaches turn out necessary and desirable, after further consideration.

Third, we propose to use title IV authority of the 1964 Civil Rights Act administered by OE to provide technical assistance to districts seeking to come into compliance with title VI as upheld by *Lau.* We believe additional funding is required for this purpose in the amount of $5 million above the 1975 budget.

That concludes my formal statement, Madam Chairman. My colleagues and I would be pleased to answer any questions you and members of the subcommittee may have.

Mrs. CHISHOLM. Thank you very much for your testimony. I am quite sure many of us have many questions. But I want to go back to the text of your statement just to clarify a few things.

First of all, on page 6, the last paragraph, you indicate that "States are increasingly recognizing their obligation in determining the allocation of their fiscal resources."

Then you said through the period of January, 1972, through June 30, 1973, money was used to finance educational services, some $643 million, and 39 percent of this went for new services.

Wasn't this money not really new money but money which was used to offset educational taxes? It is not really new money, is it?

Mr. CARLUCCI. 39 percent was used to increase educational services. The remainder was used to defer or offset taxes or deferring new taxes.

Mrs. CHISHOLM. How much was that?

Mr. CARLUCCI. The total amount I would have to work out. The total amount expended was $643 million, of which 39 percent went for new services.

Dr. Ottina?

Dr. OTTINA. Madam Chairman, I would also like to point out in the question you asked, we have 14 states which have already passed legislation supporting bilingual education in various forms. Some of them have actually made appropriations. Two other States are introducing legislation along these lines. We would be happy to send you a list of those states if you would so like.

[The document referred to follows:]

STATES WITH STATE BILINGUAL/BICULTURAL LEGISLATION OR OTHER PROVISIONS ALLOWING BILINGUAL/BICULTURAL EDUCATION

1. *Alaska*—Passed bilingual/bicultural legislation and it includes $200,000 which was appropriated for the school year 1972–73.

2. *California*—Passed the Bilingual Education Act of 1972 and appropriated $5 million for its program. Since then, the legislature passed The Bilingual Teachers Act. This act appropriated $20,000 for teacher training.

3. *Connecticut*—Although the state has no specific bilingual education, "Connecticut has two laws giving sanction which are permissive for bilingual/bicultural education." The State Act for Disadvantaged Children earmarked $7 million. A portion of this may be used to implement bilingual/bicultural education.

4. *Illinois*—Provisions for bilingual/bicultural education did come by way of passing a law. Money is allocated for this type of program and appears as an in-line cost item in the budget. ($4.5 million is being proposed for supporting bilingual/bicultural programs with state monies)

5. *Louisiana*—Has passed extensive legislation for bilingual/bicultural education (predominantely French) The state established (CODOFIL) Council on the Development of French in Louisiana with a budget of $1 million, all of which are state monies.

6. *Maine*—Has had a statute for about six years now which is in-line with the concept of bilingual/bicultural education. The statute is permissive and allows for bilingual education programs "to use BE techniques in preschool through second grade." (They have removed the second grade limitation for teaching in the mother tongue) She is a member of (CODOFINE) Council on the Development of French in New England. Funds for supporting these programs come out of the General Education funds.

7. *Massachusetts*—The State now has bilingual/bicultural legislation (Transitional Bilingual Education Act, 1971). Funding—over and above per capita cost with a floor of $250 and a ceiling of $500. Funds come out of the General Aid to Education.

   1st year—$1.5 million allocated
   2nd year—$2.5 million allocated
   3rd year—$2.5 million allocated
   4th year—$4 million allocated

8. *Michigan*—The State appropriated $88,000 for bilingual/bicultural programs. Funds come out of State Education Budget. There is no specific bill just authorization to use the money for this purpose.

9. *New Mexico*—The State now has two laws which are permissive of Bilingual/bicultural education. (House Bill 270, 1971; Senate Bill 155). House Bill 270 allocates no money for bilingual/bicultural education programs. However, it permits the school districts to use part of their appropriation for BE programs if they see a need to do so. Senate Bill 155 in 1971 allocated $100,000 but none in 1972. Additional legislation is being porposed by Matt Chacon.

10. *New York*—The State has now passed legislation on bilingual/bicultural education and appropriated $1.5 million. The program is stated to be transitional, but actually the grants are for programs K–12 in automechanics, business skills, cosmetology, math, reading and science.

11. *Oregon*—Legislation in the State has passed allowing English to be taught as a second language in any Oregon school. However, there are no State appropriations.

12. *Pennsylvania*—The State has no specific legislation on bilingual/bicultural education. However, Pennsylvania has "some directives applicable to bilingual programs" which were sent to all school districts within the State. They received the School Administrators Memorandum 515, Guidelines for Educational Programs for Children whose Dominant Language is Not English. These guidelines make it mandatory to have bilingual programs using State and local funds.

13. *Texas*—There is now bilingual/bicultural legislation. Earlier this year, $1.2 million was appropriated for bilingual programs.

14. *Washington*—The State has specific bilingual/bicultural legislation. They also have State guidelines and appropriated $700,000.

STATES INTRODUCING LEGISLATION

1. Colorado, 2. New Jersey.

STATES WITHOUT BILINGUAL/BICULTURAL LEGISLATION

Alabama, Arizona, Arkansas, Delaware, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, Ohio, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

NOTE.—Hawaii was not included in survey. Update for Jimenez Report recorded in Congressional Record of October 9, 1973.

Mrs. CHISHOLM. Commissioner, would you tell me what these new services involve? Be a little more explicit?

Dr. OTTINA. They vary from State to State. They are typically bilingual educational programs addressing the problems of young children who do not have proficiency in the English language. Many of them support a very full program in concept, including a very rich bicultural aspect as well.

Mrs. CHISHOLM. On page 7, the middle of the page, where you said "there is a clear Federal interest such as the title I programs for disadvantaged and desegregation assistance under ESAA."

In light of what happened yesterday with respect to the entire title I program, would you still say that this statement holds true?

Mr. CARLUCCI. Yes, madam.

Mrs. CHISHOLM. Explain. Because, as I understand it, Mr. Carlucci, the title I program was specifically deferred to cater to the needs of youngsters who were educationally deprived by virtue of economic patterns in their existence.

Realizing that children all over this country, whether they are from poor families, middle class or rich families, do have different kinds of educational problems, but recognizing that the authorization and the appropriations are not necessarily consistent. I think what we did yesterday indicates that there is no such thing really, theoretically speaking, as a title I program for the disadvantaged.

So therefore how are we going to be able to do all the things that we desire to do by dispersing these funds to other sections of the country in which we are no longer dealing with concentrations of large numbers of those who are at the very bottom of the scale?

Mr. STEIGER. Would the chairwoman yield?

Mrs. CHISHOLM. Yes, I will yield.

Mr. STEIGER. I am perplexed. I thought we passed H.R. 69 yesterday.

Mrs. CHISHOLM. We did. That is the problem. That is the problem.

Mr. Carlucci, maybe you can give me some enlightenment I can understand.

Mr. CARLUCCI. The question, Madam Chairman, is how you define, across this country, the term "disadvantaged." The issue is one of whether we have greater interest in equity in that definition. We have consistently felt that moving toward a national standard such as the Orshansky poverty index provides greater equity in the distribution of these funds across the country. We do think the funds will affect those children most impacted.

Mrs. CHISHOLM. We could argue this a bit more, but I have a specific question. Several of the witnesses, nearly everyone, who appeared before this committee has been opposed to the 5-year cutoff point suggested in the October bilingual guidelines.

Representatives from several groups from States such as Massachusetts, California, and New York as well as representatives from the Chinese, Chicano, Puerto Rican, American Indian and other language groups who appeared before this committee also expressed opposition.

As you know, this committee also expressed opposition to the regulations in the committee report language on ESAA.

In view of all this I would like to know how you reached the decision for the 5-year cutoff period in the first place and what changes you propose to make in light of the overwhelming opposition to this suggestion?

Mr. CARLUCCI. The question goes to the heart of the nature of title VII program. We believe the title VII program is a demonstration program designed to help develop better methods at the local level to deal with this problem.

As a demonstration program we believe it should be time-phased. Maybe Commissioner Ottina would like to add to that?

Dr. OTTINA. I would be happy to add to that. Let me first of all say that the rule is not a rule in which there is a hard number percent decision that is made on 5 years or not.

It is one in which we have described for some period of time in view of the philosophy of the program that the Under-Secretary described, we would expect that during the course of 5 years in which a project was in effect that several things would happen. Among them, that the teachers would themselves be trained and the costs themselves would over time diminish.

Second, the local school district would find that this was an attractive program and would take over responsibility for maintaining such a program.

Third, it is not a hard and fast rule since we are demonstrating. We expect we would find in these programs that have existed 5 years some exceptional programs which are worthy of continuation for succeeding years.

Dr. Molina, would you care to add to that?

Dr. MOLINA. Madam Chairman, we brought this issue before the National Advisory Committee and they studied it and decided that in view of the fact that the regulations said that the Commissioner of

Education shall not fund beyond the fifth year unless the program showed exceptional merit and promise, that they would approve that part of the regulation.

So the committee as a whole was not opposed to that particular section of the regulations.

Mrs. CHISHOLM. I think in view of the similarity of all the testimony of all the persons who have appeared before this committee, bar none, that the 5-year cutoff period is most perturbing to most of these persons who are engaged in the bilingual field.

Isn't there some way of the advisory committee possibly rediscussing and reassessing this because it is an area of real concern?

I think we have to take into consideration that the committee itself, of course, was appointed after the regulations appeared in the Federal guidelines. So they didn't have much of an opportunity for real input or to make suggestions along this line.

So these guidelines could be revised as a result of the testimony.

Mr. CARLUCCI. Madam Chairman, it is my understanding that the committee was appointed after the guidelines were published for comment, not after the final guidelines came out, and did have an opportunity for input.

Mrs. CHISHOLM. They had consideration of these guidelines, as I understood it, only 1 or 2 days. You can't do too much in only 1 or 2 days.

Mr. CARLUCCI. But they were out for public comment at the time they were appointed. The fundamental issue of the nature of the program—I have yet to find a group that is receiving funding from the Federal Government that ever wants to see it end.

But if the program is to be a demonstration program it is proper to look at the projects after a certain period of time and say, "Are they demonstrating something useful?" If so, then local communities should pick them up and we should use the resources to start some other kind of demonstration that is in the nature of a demonstration program as opposed to a service delivery program.

Mrs. CHISHOLM. Mr. Carlucci, you keep referring to the fact that the local communities pick up these programs. How would you expect local communities, say the Indian communities to pick up these programs if they do not have the kind of tax base available to continue these very expensive programs?

Mr. CARLUCCI. Madam Chairman, that is why I indicated in my testimony that we really ought to look increasingly at the States to be helpful in this area.

As Dr. Ottina indicated, the States are moving in this area. Along with the substantial budget surpluses they have had, they have had a long-standing responsibility for education.

So it isn't just a local education agency. It is the education agency in conjunction with the State that should assume responsibility for some of these projects.

Mrs. CHISHOLM. You would agree with me, though, that there has been a long-standing Federal responsibility for the Indians.

Would you agree?

Mr. CARLUCCI. I would agree that there has been a long-standing Federal responsibility for reservation Indians.

Mrs. CHISHOLM. You and I differ on that point. We know now that there are over 5½ million children in this country that have English-speaking difficulties and approximately 1½ million of these youngsters are a part of the Chicano population settling in the Southwestern part of these United States.

We also further know that of the approximately 350,000 teachers in that section of the country, less than 4 percent of these teachers are Chicano teachers or curriculum coordinators or academicians or whatever terminology is used and that 40 percent of these youngsters never complete high school and that there is a corrolation between the inability to handle the English language and to achieve in the American society.

In light of all these glaring statistics and collection of charts and surveys and documents that we have on this problem wouldn't you think that perhaps this whole area of bilingual education should become a bureau instead of just some office of which is part of a larger department. The reason why many Americans are not able to move out in the American society is precisely because of this language barrier? And we have mistakenly been labeling many of them in the education field as "mental retardants?"

I would like your reaction to that.

Mr. CARLUCCI. Mrs. Chisholm. I am not sure I would agree with all these figures. As I indicated in my testimony, we think that the population is probably 1.8 to 2.5 million people rather than the outer boundary of the 5 million figure that you set. We do not think that all of the children who come from a home whose mother's tongue is other than English are necessarily linguistically handicapped in the school setting.

Mrs. CHISHOLM. The statistics were taken from the U.S. Civil Rights Commission.

Mr. CARLUCCI. We would like to try and reconcile our statistics with yours in terms of the organizational question.

However, if I may be permitted to comment, I noticed the great fascination of Congress in general with the organizational structure of HEW in recent months and any number of different organizational plans are popping up in statutes.

I think it is our responsibility to be concerned with the results, with the accountability of the Commission of Education and the Secretary of HEW for producing these results.

They ought to have the organizational flexibility that they need to achieve this goal. I don't think that just creating a new box and putting a new label on it is necessarily going to help those children that you are speaking about in New Mexico.

Perhaps Dr. Ottina has some comment.

Dr. OTTINA. I agree.

Mrs. CHISHOLM. I would like to say, of course, putting new labels and creating new boxes never solves the problem.

We would like the people in these new boxes at least to have some power or some authority and the ability to implement policy.

Just one more question because other members of the committee want to ask questions.

In view of the fact that you do not wish that the Educational Professional Development Act be renewed on the grounds that there is a surplus of teachers in this country and wouldn't you think that we need to have a teacher-training amendment with definite appropriations for the purpose of training bilingual teacher training in this country? We can't just lump it under anything. It has to be specifically legislated.

Mr. CARLUCCI. We do have some provisions for bilingual education under the Educational Professional Development Act.

Mrs. CHISHOLM. How much money is involved?

Dr. OTTINA. $6.6 million is the figure we have up to now. But I think, Madam Chairman, if you will allow us a moment, one of the elements in the statistics you quoted I believe we all agree on is that there is a definite need in the area of bilingual teachers. This is not an area of Surplus. This is an area of shortage.

It appeared to us that there were two avenues of approach to that problem. One avenue which we are suggesting in our testimony and which we would suggest in terms of title VII is to appropriate into direct funds through the training of inservice professionals that exists to help them cope with the problem and also in a more limited way to develop additional teachers. So we would attempt to address both aspects of that problem with our largest funding going to the training of inservice professionals.

Mr. CARLUCCI. Madam Chairman, out of the additional $35 million we are asking for, $9 million of it would go to demonstration plans, to local education agencies; $6 million would be used for curriculum development; $5 million would be inservice nondegree training; $12.5 million would be inservice degree training; and $2.5 million would go for preservice scholarships.

So you can see a considerable portion of it does go for teacher training.

Dr. OTTINA. Madam Chairman, again, one aspect, our General Counsel advises us that the present statute makes it questionable in providing inservice training. We would have some language which we would like to suggest to you which would permit more clearly that activity.

Mr. CARLUCCI. The direct answer to the question is that in general we think we have the flexibility we need to deal with the teacher-training issue.

Mrs. CHISHOLM. I would like your reaction to the Senate bill.

Mr. CARLUCCI. To the Senate bill in general? I share the President's view that if it hits his desk it should be vetoed.

In terms of bilingual we think it goes to extremes in terms of service funding for cultural pluralsim, in effect.

Mrs. CHISHOLM. Thank you. I pass to the members of the committee now.

Mr. Steiger?

Mr. STEIGER. Let me pursue a question that the distinguished chairperson just asked. That is, what provisions specifically of this S. 1539 do you think pose a problem and which are acceptable?

A lot of witnesses have appeared before this committee urging the Senate bill.

Mr. CARLUCCI. I guess we can start with the 16 new organizational entities that the Senate bill would create in the Education Division.

We don't need more statutory organizational entities in the Education Division.

As I indicated earlier, what we need is accountability and managerial flexibility. In addition the so-called consolidation in the Senate bill is in effect in my judgment an optical illusion.

Mr. STEIGER. I am talking specifically about the provisions relating to bilingual.

Mr. CARLUCCI. Oh, on bilingual education.

Mr. STEIGER. I am delighted to have any answer you want to give us.

[The information referred to follows:]

PROVISIONS OF THE NEW BILINGUAL EDUCATION ACT IN S. 1539 WHICH DHEW SUPPORTS

Part A—Financial Assistance for Bilingual Education Programs
Section 721 (a) and (b)—Bilingual Education Programs
Section 722—Indian Children
Section 723—Training

(Except p. 147, lines 11 and 12 which would specify the number of fellowships to be awarded. We would prefer a provision which authorizes fellowships without specifying the number).

PART C—Supportive Services and Activities

We support this entire Part, except the provision in Section 742(e) which would earmark NIE funds.

Mr. MEEDS. May I just interject that, in fact, the Senate bill might ease the pain for the gentlelady from New York. When Crane and Rousselot and Sims and Chisholm vote against a bill—it is quite a coalition.

Mrs. CHISHOLM. I think somtimes we have to realize that you are damned if you do and damned if you don't. This is a piece of packaged legislation with a lot of things included in the package. One of the things I did not like in the package was the antibusing.

Continue.

Mr. CARLUCCI. Mr. Steiger, for kindergarten through 12 the term "bilingual education" in the Senate bill is defined as "a full-time program of instruction in the native language and English given with appreciation for the cultural heritage of the target group to the maximum extent feasible in all the required courses. The study of the native language and English must include speaking, reading, and writing.

Also, bilingual programs must include a study of the history and culture associated with the native language as well as a similar study of U.S. history and culture.

Now, that is an astounding workload to impose on local educational agencies and given the multiplicity of languages, say, just among the Indians, I don't know how you would go about that.

Mr. STEIGER. Has there ever been a full-scale national evaluation of bilingual programs so that we have some idea of what works and what doesn't?

Mr. CARLUCCI. There is no descriptive evaluation. We are planning to contract for a substitute program evaluation of bilingual programs.

Dr. OTTINA. That is correct.

Mr. **Steiger**. There seems to be a special problem on financing programs for Indians. As you have mentioned, and as others have mentioned, there is a large number of Indian dialects in this country. Yet many of the applications for title VII money were turned down.

Should there be specific funds available and earmarked just for Indian projects?

Mr. **Carlucci**. I would not recommend it be earmarked for Indian projects. Let me ask Commissioner Ottina and his staff to address the question of projects that might have been turned down.

Dr. **Ottina**. Before I address that, Mr. Carlucci, as you are aware, Congressman Steiger, there is another act, the Indian Education Act, which addresses more directly and specifically the needs of Indian children.

It is possible to form projects specifically for Indian children. There are several sections specifically which could be used to address that.

John, could you comment on that?

Dr. **Molina**. We are currently funding 16 American Indian projects. We have a scoring system which was published in the Federal Register, by which we judge all projects.

We have been very responsive to the need of the Indian community and we have made efforts to fund those that show promise.

Mr. **Ottina**. There were six projects that were funded under the Indian Education Act that addressed bilingual activities in 1973. We have not made the 1974 project grants as yet.

Mr. **Meeds**. Will the gentleman yield?

Mr. **Steiger**. Yes.

Mr. **Meeds**. Is that the same Indian Education Act that came up and for which Congress appropriated funds which were frozen, the same Indian Education Act for which you requested that Congress rescind authority? Is that the same one?

Mr. **Carlucci**. It is also the same one, Mr. Meeds, the same act, that we are now requesting funding for in the President's budget request.

Mr. **Meeds**. Delighted to hear you repent.

Mr. **Steiger**. Springtime came early.

There have been some charges, some of them serious, levelled by witnesses against the National Institute of Education. They state it has been unresponsive to needs of bilingual education.

They also state that there are few if any planning and staff.

I wonder if Mr. Glennan would be able to clarify what the status is of NIE.

Mr. **Glennan**. I think it is fair to say that we have not had as yet as many bilingual staff members as I think is appropriate and necessary and desirable for the Institute to have. Specifically, there are nine members of our staff from a total of 385 that are from Spanish-speaking backgrounds.

Most of them are at the GS–11 and above levels. But it is clearly not as good a performance as is necessary. I think we are making some headway. I think we are about to be able to announce a major appointment to specifically deal with the area under consideration here.

Second. I would say that our capacity to deal with bilingual education or any kind of problem has been severely hampered by the actions of the appropriations committee of the Congress, which cut our budget by over 50 percent from our request for the current year, and which appears to be unsympathetic to a supplemental request which we have made which included funds for bilingual and multicultural education.

Despite all that, of course, the increased set aside for bilingual research in our proposed fiscal year 1975 budget indicates our commitment to bilingual education. We are funding approximately $3 million for bilingual projects from our current fiscal year 1975 budget of $75 million. With the budget amendment for fiscal year 1975, a bilingual research program of $5.5 million will be funded by the Institute.

Mr. BIAGGI. Will the gentleman yield?

Mr. STEIGER. I yield.

Mr. BIAGGI. How many staff members do you have working on non-Spanish programs?

Dr. GLENNAN. On non-Spanish programs? I am not sure. I can give you the exact number, sir. I think I would have to provide that for the record. The vast majority of the staff would be on programs that are of general educational interest, rather than the specific Spanish.

Mr. BIAGGI. Specifically on the bilingual situation, I would like a precise answer. If you don't have it now, I would appreciate it for the record. I would like to know their names and addresses and what programs they are assigned to.

Dr. GLENNAN. Surely. We will do that.

Mr. STEIGER. One of the witnesses before the Committee has spoken about the need for development of dissemination of bilingual curriculum material.

I wonder if you might provide some information to the Committee as to what sort of activities—I wonder if you have examples of any successful curriculum development programs?

[The information referred to follows:]

NIE permanent employees as of June 21, 1974, total 426.

NIE Employees working on bilingual programs, total 12.

- Robert Guthrie (black), NIE associate, Office of Research.
- Daniel Antonopolis (Greek), education program specialist, Office of Research.
- Eunice Turk (black), education program specialist, Office of Research.
- Carter Collins (black), research specialist, Office of Research.
- Robert Acosta (Spanish surname), NIE associate, Office of Research.
- Silvia Wederath (British-Prussian), education program specialist, Office of Research.
- Ronald Alvarez (Spanish surname), NIE senior associate, Office of Experimental Schools.
- Rene Gonzalez (Spanish surname), education program specialist, Office of Experimental Schools.
- Guadalupe Carbajal (Spanish surname), education program specialist, Office of Experimental Schools.
- Elias Padilla (Spanish surname), equal opportunity specialist, Office of Human Rights.

Abdin Noboa (Spanish surname), NIE associate, Office of Human Rights.
Milton Silva (Spanish surname), NIE executive, Chairman Multicultural Task Force.

All the above employees work on bilingual programs for both Spanish speaking and non-Spanish speaking.

Mr. CARLUCCI. Let me ask Commissioner Ottina.

Dr. OTTINA. We would certainly agree with that recommendation. There are a great number of curriculum programs which have been developed over the years under the title VII program. They are about 1,300 in number, to my recollection. They are of various quality, various degrees of sophistication.

There are in existence two centers that we do fund to help disseminate curriculum materials. Certainly there is need, we think, at this time to look at the materials closely to discern which are of high quality in order that we may do a much more thorough job in assuring that they are known and available to people who wish to implement them.

Dr. MOLINA. We are currently spending around $3 million in curriculum development and dissemination. We have two major projects, one in Austin, Tex., and one in San Diego, Calif., for dissemination.

The one in Austin, Tex., receives all materials developed in bilingual education from all sources. It distributes a synopsis of these materials to all title VII participating school districts.

The project in San Diego reviews foreign materials and field-tests those materials in selected school districts. If they are appropriate for American youngsters then that information is disseminated nationally.

Mr. STEIGER. Just three brif questions, Madam Chairman.

I am grateful to the committee for their patience.

On page 10 from your testimony, Mr. Secretary, you have said that:

> We believe that goal should be to enable limited and non-English-speaking children to gain the competency they must have in the English language if they are to compete successfully in American society.

A witness from New York City indicated that their definition of "bilingual" was somewhat broader than that. They were including as a part of bilingual education the teaching of a second language to an English-speaking individual.

Are we funding under bilingual education programs that provide a second language for English-speaking students?

Dr. MOLINA. Yes. It is a component of our program, English as a second language, to children of limited or non-English-speaking ability.

We also have programs that have Spanish or some other language as a second language to monolingual English-speaking youngsters.

Dr. OTTINA. There are also a number of projects which attempt to deal with more than one language. There are multi-lingual projects in existence.

Mr. BIAGGI. Will the gentleman yield?

Mr. STEIGER. Yes.

Mr. BIAGGI. You mean we are teaching a language other than English when we haven't enough money to teach those who have difficulty with the English language? Is that what you are telling me?

Dr. OTTINA. I am not sure I quite understand.

Mr. BIAGGI. We are spending money to teach an additional language.

Dr. OTTINA. That is correct.

Mr. BIAGGI. When fundamentally the target is to teach these linguistically handicapped English?

Dr. OTTINA. Yes.

Mr. BIAGGI. How do you justify that when you are pleading for additional money to deal with the basic problem?

Dr. OTTINA. I can justify it on two dimensions, Congressman. First of all, we believe we have proved that for youngsters who enter the school system who do not have adequate command of any language that a more economical and better teaching methodology is to build proficiency in the language they come with before introducing the English language. We have found in most cases it is a better pedagogical methodology. So in cases that is part of the answer.

The second is that the program that is administered under title VII is a program grant program to which applications are made for support of new innovative methods of dealing with the problem.

It is not a program in which we have tight descriptions on the activities that can be carried out as we interpret them, although it was the intent of Congress, and we allow a great variability to the project grantee in performing the function of bilingual education, in dealing with the problem that is out there.

Mr. BIAGGI. I am not sure that was the intent of Congress. I am not quarreling with the concept. I think it would be great to have a multilingual nation. But I am quarreling with the administration of the basic purpose of the bilingual program.

We are spending money in an area where that money could better be used to deal with the precise target.

Mr. CARLUCCI. Congressman, there is also a title VI issue here of whether you can indeed segregate children for the purpose of bilingual education or you shouldn't have children in that class with an English competency as well. So it is a complex issue.

Mr. STEIGER. I want to share in my colleague from New York's concern. I do understand what conceivably could be a title VI problem. But I will be damned if I can understand, with limited resources and with a target population of 1.5 to 2 million, how you can legitimately justify a program that misses people who don't speak English to try and deal with people who speak English but who are interested in learning Spanish. I have great difficulty justifying that approach.

Dr. OTTINA. Mr. Steiger, let me just respond in two ways to that question. There is very little money, if any, that deals with the total problem of taking the English student and teaching him some other language.

What is in the main setting where children who come from a particular background, be it Spanish, and in that background, the classroom, you also find the program is aimed at them. But in the classroom you also find English-speaking youngsters. They are taught both languages simultaneously.

The title VI problem is one that I think we have talked about. But that is also, you must understand, the approach that is being advocated in the bill we talked about by the Senate.

During the 6 years this program has been in existence, it has not been a program in which there is a specific service but it was trying to look at different techniques and methods to attack this problem.

It encouraged a very wide range of activities. As the chairwoman testified earlier, taking money away from existing projects and placing them elsewhere, even after 5 years, it has been a tug of war.

So we have had many problems in dealing with this. It is not clear whether the program should address simply the teaching of English in the most economical fashion or should it include the wide range that we have described, including teaching in a multiplicity of languages all courses which are required for graduation from high school. Both ends of that spectrum are advocated vocally by the constituencies that we are attempting to serve here.

Mr. STEIGER. Let me take one more question, Madam Chairman. I appreciate the response on that. I think we can pursue this as we go along.

There are, as I understand it, only two universities or colleges that give a degree in bilingual education, both of them in New Mexico. How long is it going to take to train an adequate bilingual staff at the present rate of effort? Can Federal money be used for developing professional training for staff people? How much is being used for this now? How do you project the training of staff people in the future?

Dr. OTTINA. Our estimate is the shortage is tens of thousands. Our estimates show a 50,000 to 70,000 shortage of personnel to deal adequately with the problem.

As I commented earlier, part of the difficulty that we have had under title VII is a legal problem, as we understand it, in being able to deal more directly with the universities as we are able to interpret the law. It limits us fairly well to the local educational agencies. That is one of the legislative changes I suggested earlier in a comment to the chairwoman so that we can more directly work with universities and institute better programs of teaching bilingual education.

Part of the solution is taking advantage of the existing already credentialed teachers, many of whom come from backgrounds such as we are seeking but have never had the kind of academic work which we think is necessary to make them fully capable.

So the approach we are suggesting is to take advantage of what is out there and try to build that capability quickly there, work with the universities and try to introduce a new influx. We would see this as a problem lasting many years, Congressman Steiger.

Mr. **Steiger.** Thank you.

Mrs. **Chisholm.** Mr. Biaggi?

Mr. **Biaggi.** Thank you, Madame Chairwoman.

Mr. Secretary, in response to Chairman Perkins' question as to whether or not the proposal of a bill to deal with the bilingual aspect of education is useful, you have responded, as I understand it, that you are proposing to double the funding for this program. I don't know if we obtained a precise "yes" or "no."

Mr. **Carlucci.** On the bill?

Mr. **Biaggi.** Yes.

Mr. **Carlucci.** I would not recommed a new bill at this point. I would recommend increasing the funding of this program while we continue the dialog with the Committee on how we might best handle this issue.

I indicated in my testimony that there were two approaches that we ought to explore. There are a lot of difficulties involved in both of these approaches. So it will take some time to think it out.

Mr. **Biaggi.** I would have to conclude as a result of your response that the introduction of the bill would be deleterious to your efforts.

Mr. **Carlucci.** It depends on what kind of a bill.

Mr. **Biaggi.** Simply by asking for more money.

Mr. **Carlucci.** I think I indicated we would be asking for $35 million more in the budget amendment that will go to the Appropriations Committee.

Actually, when you add in the NIE and title IV pieces, it is more than $35 million. We think that will give us a capacity to improve our demonstration program. But I do not think we will need more money than we are asking for.

Mr. **Biaggi.** What experience have you had in the past when you make requests of this nature for additional monies?

Dr. **Ottina.** Our history has been—last year we received more than we asked for. My recollection is the year before the reverse is true.

Mr. **Biaggi.** I wish you luck. There is no question that bilingual programs are essential to the whole educational process. We are terribly concerned about them.

Frankly, right now the target is rather narrow in relation to testimony that has come to this committee in the past number of weeks. It has led me to one conclusion: That we have a larger area, a larger target, than we have been addressing ourselves to.

The Franco-Americans in the State of Maine are in a very poor position. They have had no assistance.

Another gentleman appeared from New Jersey and testified in connection with the Italo-American community, with which I am very thoroughly familiar.

Other people brought attention to the Albanian community, the Greek community, the Haitians. There are many areas that need attention and the moneys obviously are not there to do the job.

So when you are out there pitching for that $35 additional million, I want you to know you take our hearts and spirits with you. I hope you have the same success.

Dr. Ottina. Mr. Biaggi, I made a mistake earlier in my comment. In each year we requested funds the final appropriation was in excess of the request. That has been the history.

Mr. Biaggi. That tells me that that request for $35 million additional will net more than $35 million additional?

Mr. Carlucci. I would hope not.

Mr. Biaggi. More than double?

Mr. Carlucci. The target population is larger than we had anticipated. The problem is a more significant problem that we had anticipated. It is quite a big jump from those stipulated facts to the conclusion that it is entirely a Federal problem.

We think there is a Federal role, which I am trying to outline. But there is also a State and local role.

Mr. Biaggi. Let us stay with that. Let us talk specifically in connection with the Italo-American community in New York.

Let us talk to the Federal role, whichever way you measure it. Exactly what is it as far as the Italo-Americans are concerned? What programs have you funded as far as the Italo-Americans are concerned? Can you name one?

Mr. Carlucci. In the education area?

Mr. Biaggi. Bilingual. One program if you could.

Mr. Carlucci. My understanding is that they haven't applied for any.

Mr. Biaggi. That is not a matter of fact.

Mr. Carlucci. They now have some applications in. But in prior years they have not had any applications in.

Mr. Biaggi. Consistent with that last comment, on page 1 of your statement you talk in terms of Lau, which:

> Affirmed the responsibility of the local education agencies to comply with Title VI, 1964 Civil Rights and HEW regulations and guidelines issued pursuant thereto. These guidelines and regulations require that school districts take affirmative action to rectify the language deficiencies of limited and non-English-speaking children in such a fashion that they may enjoy equal access to the education opportunities provided to all other students.

HEW obviously hasn't taken any affirmative action in this connection.

Mr. Carlucci. We have a fairly substantial title VI compliance effort under way in New York City.

Mr. Biaggi. When did it get started?

Mr. Carlucci. It is presently in its incipient stages. But it will be one of our major compliance undertakings.

Mr. Biaggi. We have been in the business of bilingual education for a substantial period of time. In that area and many other areas HEW has failed.

Mr. Carlucci. I am afraid I can't——

Mr. Biaggi. I am not holding you responsible but you tell me it is in an incipient stage of enforcement.

Mr. Carlucci. In the civil rights area I do not think we have failed.

Mr. Biaggi. We are talkng here specifically of the affirmative action, guidelines and regulations that you make.

On your first page, your response, as I understand it, is that your compliance is in its incipient stage?

Mr. CARLUCCI. I said that a major compliance review in New York City is in its incipient stage. We have had civil rights compliance under way in HEW for a number of years, ever since the passage of the Civil Rights Act.

Mr. BIAGGI. Let me put a more precise question. What programs do you have in New York City outside of Spanish-speaking programs?

Mr. CARLUCCI. There are three multilingual programs in New York City under title VII: Two Spanish (Puerto Rican and French (Haitian), and one Spanish (Puerto Rican and Chinese.

Mr. BIAGGI. The information I have is that there aren't any Federal programs. We have state programs. We have locally-funded programs.

Mr. CARLUCCI. You are talking about programs that deal with the Italian community in New York City?

Mr. BIAGGI. Yes. We have a population where the class criteria is established. It is a problem that must be addressed.

I don't quarrel with this or that segment of the population. But we are talking about a total population. That is the point I am making.

Mr. CARLUCCI. Congressman, let me assure you that with names like Carlucci and Ottina in HEW, we are not going to discriminate against Italians.

Mr. BIAGGI. That is fine. I appreciate that. I have discussed many causes besides those of Americans of Italian origin, but I will not be deterred from espousing the cause of those Americans of Italian origin.

The fact is we don't have programs. I appreciate that you may be of Italian extraction. That is one thing. I look at the psychology of people. It varies. I am not familiar with yours. Perhaps you are not familiar with mine.

But I deal very factually with the circumstances in front of us. One that is inescapable is that we don't have Italian programs or Greek programs.

I will go through it again. There is no Albanian program. We have a multilingual obligation. Mr. Ottina said 14 States adopted projects which are multilingual in nature.

Dr. OTTINA. Yes, I believe so. I do have short summaries of each if you would like to have them, and will include them in the earlier insert dealing with those States which Ms. Chisholm asked for.

Mr. BIAGGI. Yes, we would.

Madam Chairman, I have a letter here from the board of education that spells out circumstances dealing with Americans of Italian origin. We have some 25,000 immigrants coming in, and 5,000 or 6,000 students that would be eligible. They are dealing with 603 as of last year.

We have a program teaching 603 out of a possible 5,000. It is not even federally funded.

I would like to submit this for the record.

Mrs. CHISHOLM. We will accept that for the record.

Mr. BIAGGI. Mr. Secretary, you spoke in connection with the Federal role. The more I deal with this the more it appears to me that more and more the Federal Government will be involved. I simply don't understand how we can extract its presence from the total education picture.

Like child abuse, there are many States that will comply in very positive fashion. There are many States that will not. Education will be the same way. We have found the same thing with civil rights. Many States lead the way. Many States are just reluctant. That is why it is important that the Federal Government maintain control and establish its basic criteria.

Mr. CARLUCCI. I agree with you, Congressman Biaggi. I never did say that the Federal Government should extract itself from the field of education.

What I said was it is a vey large jump from the present Federal role to say that the ramifications of the *Lau* decision are solely a Federal responsibility.

Mr. BIAGGI. Oh, I agree. Well, perhaps not "extract." But 'diminish' its participation.

Mr. CARLUCCI. No, sir, in fact, I think I indicated that we should step up our enforcement as a result of *Lau*. We should step up our R. D. activities as a result of *Lau*. We would increase the present title VII demonstration program.

Mr. BIAGGI. Glad to hear you say that. Thank you very much.

Mrs. CHISHOLM. Mr. Benitez?

Mr. BENITEZ. Mr. Secretary, I have been very much interested in your answers. More than that, particularly regarding the implication of some of the law in *Lau* vs. *Nichols*, which was decided on January 21, 1974. Consequently it came after your programs and your rules and your bylaws had been approved.

However, I would like to bring to your attention the fact that at least many of our witnesses and many lawyers and historians regard this case as significant as *Brown* v. *Board of Education* the famous Supreme Court case on desegregation.

If it is so and if we are in the threshold of a significant constitutional reorientation in our educational system, I would find at least that approach incompatible or contradictory with several of the expressions and positions that have been taken by yourself today.

I would just ask if in your opinion this *Lau* judgment is the approach to significant revision in the attention to the problem of the non-English-speaking youngsters in the United States?

Mr. CARLUCCI. I think clearly the answer to that question is "yes," it is going to require more attention to that problem.

Let me point out that *Lau* specifically upheld the existing title VI regulations of the Department of Health, Education, and Welfare. So we were moving in that direction in advance of *Lau*.

Lau will focus national attention on the issue. I agree with you.

Mr. BENITEZ. There is a point I didn't express. The statement that there are 5½-million children of school age who could be affected by a linguistic impediment or linguistic difficulty in English whereas you felt there were only 1 million or a million and a half.

Mr. CARLUCCI. Let me explain how we got to that figure.

Mr. Benitez. Which of them?

Mr. Carlucci. Both of them. The 5-million-children figure was taken from the U.S. census. That figure represents the number of children who come from homes where the mother tongue is other than English. Not all of those children will be linguistically handicapped in school. We therefore went out to four States——

Mr. Benitez. May I correct you and say that the census figure is not 5 million but 7 million?

Mr. Carlucci. The figure we have is 5,047,000 on the census.

Mr. Benitez. I would like to check because I am quoting also from one of your documents.

Mrs. Chisholm. Will the gentleman yield?

Your own office of education itself indicates that there are at least 5 million children with real English-speaking deficiencies, Office of Education figures. I have that.

Dr. Molina. Maybe I can clarify that. Our legislation authorizes us to serve youngsters between the ages of 3 and 17. So we interpolated the 1970 census statistics and came up with a figure——

Mr. Benitez. Which figure?

Dr. Molina. The 7 million figure which you have before you now is school-age children between the ages of 5, which would be kindergarten, through 17. We come up with a figure of 5.4 million I believe the figure of 5.4 million is generally accepted as a somewhat reliable figure.

As the Secretary was about to say, we asked four selected State departments of education what percentage they felt of the youngsters whose mother tongue was not English needed bilingual education. From that survey came an upward limit of 2.5 million.

Mrs Chisholm. Thank you.

Mr. Benitez Thank you. The other figure I have in that context is, if we even narrow it to this figure, which is 2½ million, as I understand it, you would actually need the assistance to which *Lau* vs. *Nichols* refers. Yet the actual service which is being given now and the resources of the department are 111,000 by your own commission. So there is such a vast discrepancy, over 20 times the difference between what is being served and what is needed to be served. So it is the magnitude of the problem that I would like to underscore at this moment as part of the basic concern which all of us share, being aware that it will take some time before this reality seeps through the system and the emotional thresholds which pertain to the previous practice

What I am trying to underscore here is that the magnitude of the situation goes way beyond what either Congress or the department had heretofore envisaged.

Mr Carlucci. Congressman, I was a little puzzled when you started out a while back and said that our positions were far apart. Implicit in what you are saying, I think, is that it is a Federal responsibility to supply the funding for all of these children.

We would argue that there is a very real State and local responsibility here as well and that the tab shouldn't be picked up fully by the Federal Government.

Mr. BENITEZ I am fully aware of that. If I have said anything that has led you in that direction, I am sorry. I do feel that the Federal responsibility, given these facts, will not terminate 5 years from now.

Mr. CARLUCCI. I would agree with you in terms of Federal responsibility for compliance with the law. In terms of Federal responsibility for R. & D. and growth and development and demonstration programs, we have to look at it as a demonstration program.

In terms of service delivery, as you are aware, Congressman, title I can now be used for bilingual projects and, indeed, some title I moneys are being used for bilingual projects, which is why I indicated in my prepared statement that perhaps you ought to explore the title I question some more.

Mr. BENITEZ. Let me, for your own tranquility, tell you that I have committed the Secretary of Education of Puerto Rico to use part of the moneys we are going to get in title I for the attention of the Puerto Ricans who don't speak Spanish because they are returning from the States and don't have one-hundredth of the resources that are provided federally for these purposes. I hope that that becomes the case also throughout the United States at other levels.

But the Federal funds abbrogated as of now eliminate the cultural question which was mentioned earlier, and are, clearly, inadequate for the enormity of the task that I think is ahead if the implications of the *Lau* vs. *Nichols* case carry through.

I am aware that the case has to be remanded for additional action.

Mr. BIAGGI. Will the gentleman yield?

Mr. BENITEZ. I yield.

Mr. BIAGGI. I am terribly concerned and I just want to make sure you understand that my two grandchildren go to school in your district with bilingual programs. They speak Spanish but they don't speak English. So will you see that they get assigned to those schools?

Mr. BENITEZ. We have had in Puerto Rico bilingual education since the year 1900. We are certainly in this hemisphere the leaders in bilingual education. But what we had not had experience with was teaching children in Puerto Rico Spanish as a second language. This is a reversal which we are willing to undertake as part of the two-way street responsibility which we are arguing for.

Now, may I proceed?

Mrs. CHILSHOLM. One more. One more minute. Proceed.

Mr. BENITEZ. I would like to say that we had here as a witness the chairperson of the advisory committee on education of bilingual children. According to her testimony she just had a glimpse at the bylaws of the committee charter dated January 4, 1973; the committee was sworn in January 10, 1974, met January 11, and called for the express purpose of reviewing the proposed ruling. According to her testimony and to the evidence which she submitted, most of them, including herself, were appointed on a basis which ends 6 months after they are appointed.

Would this person be allowed a term that would permit one to comply with the responsibilities?

Dr. OTTINA. Our normal procedure where we have a committee of 15 members is to establish terms to provide continuity so that some would be appointed for the first year, some the second year and some for 3-year terms.

That way the activity continues with five new members to absorb each year. This would provide continuity. It was on that basis that the appointments were staggered.

Mr. BENITEZ. Mr. Secretary and Mr. Ottina, you realize that I have very many more questions. But I am the very obedient servant of the chairperson and so I will stop at this point.

Mrs. CHISHOLM. Thank you, Mr. Benitez.

Mr. Lehman?

Mr. LEHMAN. Just a quick question. In your report, the second paragraph, you say you do not believe that a significant case can be made for a (Federal responsibility for bilingual programs.) on historical, legal, et cetera, grounds.

In our area in south Dade we are now going to be subject to additional bilingual expenses that are going to be the result of strictly a so-called unilateral action by our State Department in opening up immigration to 25,000 Cubans, more or less.

I have no quarrel with this. But this does impose additional educational costs on the local educational agency in south Florida.

We did not participate in this decision. Yet, according to your philosophy, we must assume the extra bilingual cost of bilingual education for the young people who are going to result in our school system as a result of this immigration policy.

Mr. CARLUCCI. Congressman, I don't know who the "we" is in your statement because I understand the situation, this was an action by the State of Florida. The State of Florida, it seems to me, has a very real responsibility in the equalization process. I would hope that they would carry out that responsibility.

Mr. LEHMAN. The additional children that are going to be coming to south Florida as a result of what former Attorney General Richardson and, I think, Secretary of State Kissinger have provided, are going to be an additional cost to our system in the bilingual education procedure.

I think this is the result of Federal action without the Federal financing to underwrite the cost of Federal action.

Mr. CARLUCCI. If you are talking about the Cuban refugee program, there is Federal funding for that program.

Mr. LEHMAN. But not necessarily in this particular bilingual program. That is in addition to any particular Cuban impact aid money.

Mr. CARLUCCI. You have got Cuban impact aid money. There was quite an issue on that.

Mr. LEHMAN. I think philosophically, though, that as long as Federal decisions are being made that affect local educational agencies the Federal responsibility should go along with that, bilingual or any other form of education.

Mr. CARLUCCI. If that comment, Congressman, pertains to Federal court decisions, I must respectfully disagree because I don't think a

Federal court decision automatically entails Federal Government responsibility.

Mr. Lehman. This does not result from local action but from action beyond the level of local participation.

Mrs. Chisholm. Mr. Badillo?

Mr. Badillo. Mr. Carlucci, the *Lau* decision, as we all agree, is based upon the Civil Rights Act of 1964. For that reason it arises out of a Federal action by the Congress of the United States. I say this because as I read your testimony there seemed to be some doubt as to the extent to which there should be Federal involvement.

I am concerned about the fact that you have resolved that doubt by limiting the Federal role to approximately 10 percent. You ask for an additional $35 million.

If, at the present time, under the present appropriations you had 111,000 children now being served and if you said that the figure is between 1 million and 2.5 million, let us use 2 million, you would be servicing approximately 200,000 with the additional amount you appropriated, which is only 10 percent.

Now, we may disagree, you and I, members of the committee, as to the extent of the Federal role. But I think practically all of us would agree that it should be more than 10 percent.

Mr. Carlucci. Congressman, I don't think the Federal role is 10 percent at this point.

Mr. Badillo. I am talking about——

Mr. Carlucci. I am talking about one program.

Mr. Badillo. We are talking about the question of providing a good Educational opportunity under the Civil Rights Act, which was the basis of the *Lau* decision.

I point out that with respect to these children you are talking about who are in need of bilingual education, it is very clearly a Federal role. I think any reasonable interpretation of the *Lau* decision would place that Federal role at well beyond 10 percent.

Mr. Carlucci. Congressman, I think we are getting Federal role confused with money. I have acknowledged, in response to numerous questions and in my testimony, that there is a continuing Federal role that will go on in the enforcement of it and in the R. & D. area.

Mr. Badillo. The Court was talking not just about interest and sympathy and understanding but about action in terms of programs, and that requires money.

Mr. Carlucci. The civil rights compliance program is an action program in terms of money. We cannot look just at the Title VII program. We are going to ask for a total of $70 million under the Title VII program in addition to other programs that are providing services and benefits to the linguistically handicapped.

Mr. Badillo. Would you tell us which those are and submit it for the record?

Mr. Carlucci. There are about 11 programs which we will submit for the record.

[The documents referred to follows:]

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SUMMARY—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973[1] (OTHER THAN TITLE VII, ESEA)

Agency/program	Bilingual	Mixed (bilingual and ESL approaches)	Total
Office of Education			27,986,251
I. Adult education		1,683,425	
II. EPDA	2,820,603		
III. ESEA, Title III	1,626,405		
IV. ESAA	16,395,743		
V. Follow through	3,251,097		
VI. Handicapped	324,934		
VII. Indian education	932,544		
VIII. Right-to-read		951,500	
National Institute of Education			3,037,539
I. Research	988,157		
II. Curriculum development	2,049,382		
Office of Child Development			746,004
I. Project headstart	143,500		
II. Children's bureau	602,504		
DHEW grand total			31,769,794

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[1] Additional funds are being spent for bilingual and/or ESL instruction under certain other authorities where we have not been able to isolate the amounts. These include ESEA, title I; adult education State plan program section 304 and teacher training, section 309(c); ESAA basic authority, section 706, and vocational education State plan program, title I part B.

DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)

OFFICE OF EDUCATION

I. Adult Education

Special demonstration projects, Adult Education Act, Title III, Sec. 309(b)

This authorizes the Commissioner to make grants to local educational agencies or other public or private nonprofit agencies for special demonstration projects in adult education. A non-Federal contribution of at least 10 percent of the costs is required whenever feasible.

In fiscal year 1973 the appropriation for Sec. 309(b) was $7,000,000. Out of this total, $1,683,425 was spent for the following special demonstration projects with bilingual or ESL components.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
Arizona	Gila River Indian Community	The aim is to motivate Indians rejected by other training programs and unreached by traditional educational programs by emphasizing their own culture history, arts, and crafts. The program reaches Indians in jails, alcoholic rehabilitation centers, and the homebound.	Indian	$75,000
California	American G.I. Forum of the United States.	This ESL project will demonstrate the effective use of community resources for the teaching of communications skills and basic knowledge.	Spanish (Mexican-American)	50,000
	Montal Educational Associates	This project will develop materials to meet the specific linguistic psychological, and social needs of Spanish-speaking mothers learning to function in an urban society where the dominant language is English and the predominant culture is Anglo. It will produce alternative models both for adult education and training of staff members.	do	95,042
	San Diego College Foundation	The project is designed to expand the curriculum of the San Diego community colleges adult education program to provide basic education and English language skills to unemployed women who will move into ongoing vocational education programs and then into existing on-job-training programs. Instructors will be bilingual.	do	34,176
	Los Angeles City Unified School District	This project will develop intermediate level ESL materials designed to teach English and assist the Asian adult to overcome the cultural shock he experiences in attempting to adapt to our customs.	Mixed Asian (Chinese, Japanese, Korean, Filipino, and Samoan).	118,000
	Education Center for Chinese	The purpose is to develop a model program including a reception center, instruction in basic English, and community orientation for newly arrived Asian parents. The project includes components for developing curriculum materials and measurement instruments.	Mixed Asian (Chinese, Japanese, Korean).	103,327
	YA-KA-AMA Indian Education and Development, Inc.	The program works with 25 groups of Indians in Sonoma County to provide adult basic education based on pride in their culture. Cultural materials are being developed for use in basic reading and writing sessions. A full-time counselor will seek out job opportunities, provide job counseling, and assist the newly qualified applicant in securing a position.	Indian	87,756
	Oakland Unified School District	The project will offer urban Indian parents work experiences in schools to prepare them for employment there. A model curriculum will be developed and counseling will be provided.	do	114,907

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DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

OFFICE OF EDUCATION—Continued

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
Connecticut	Hartford Board of Education	The primary purpose of this project is to enable adult students to acquire and utilize the knowledge and skills necessary to become members of and effective participants in advisory and decisionmaking groups at the community level. ESL techniques are used.	Spanish (Puerto Rican)	$70,000
Hawaii	University of Hawaii	This project will provide training for 75 disadvantaged Samoan parents. An advisory committee composed of business, industry, and education leaders will assist in developing an innovative curriculum. ESL techniques are used.	Samoan	57,000
Illinois	Association House of Chicago	This project will demonstrate that bilingual-bicultural instruction in communications, Spanish culture, and "mainstream American culture," coupled with intensive and specific follow-up offered in a noninstitutional, community-based setting by a multiservice agency is an effective, efficient, and replicable method for dealing with the problems of the Spanish-speaking "drop-out."	Spanish (Puerto Rican)	102,232
Indiana	Mid-West Council of La Raza	Adults at 2 sites in Chicago are being provided with intensive communication skills and improvement courses. The project will also create individualized learning modules on videotape that can be used in bilingual classrooms or for bilingual teacher training activities.	Spanish (Mexican-American)	200,000
Montana	Crow Tribe	This comprehensive adult education program serves over 400 Indian adults through a continuing ABE program, as well as through minicourse offerings in consumer education, Crow culture, literacy in English and Crow, and various civic, financial, and home-related subjects. Inservice staff training is a significant component. A curriculum for the Crow nation is bing developed.	Indian	80,000
New Jersey	Paterson Board of Education	A model delivery system will be developed through this employer-based, job-oriented program working in industries and service agencies to upgrade 100 adults with basic educational deficiencies using an ESL approach.	Spanish (Puerto Rican)	76,985
New York	Chinatown Planning Council, Inc.	This is a 7-days-a-week adult education program (daytime and evening) to assist participants in acquiring enough English to meet their own needs and to pursue their own academic, social, and/or vocational goals.	Mixed Asian (Chinese, Thai, Japanese, Korean, Burmese, and Spanish-speaking Chinese from South America).	240,000
Oklahoma	5 Civilized Tribes foundation	6 learning centers are being operated in rural areas predominantly populated by east Oklahoma Indians. The project seeks to refine and demonstrate the learning center concept and provide a vehicle for basic research and development of procedures and materials found to be most effective with groups and individuals of different cultural backgrounds.	India	120,000
Rhode Island	Providence Public Schools	This project provides ABE instruction to the hard core functionally illiterate adult and ESL instruction to non-English speaking adults.	Spanish (Puerto Rican)	59,000

II. Education Professions Development Act (EDPA)

The EPDA bilingual education program, which is funded under part D of the act, has 2 primary objectives. The 1st is to increase the quality and quantity of bilingual teachers and other educational personnel available for service in schools attended by pupils having limited English speaking ability. Secondly, it aims to increase the number and improve the quality of college/university bilingual education personnel training programs.

In fiscal year 1973 the total EPDA, Part D appropriation was $53,960,000 of which $2,820,603 was spent for the following bilingual programs.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
California	California State College	This project recruits Mexican-Americans to become teachers, guidance counselors, and other educational personnel.	Spanish (Mexican-Americans)	$260,000
	California State College	This grant supports a leadership training program for bilingual education project directors	do	50,000
	Babel	Teachers are retrained to serve bilingual children. Training is also provided in media, counseling, and administration for Mexican-Americans.	Multilingual	200,000
	University of California	The purpose of this project is to improve the Spanish medium capability of Chicano studies faculty who are involved in the training of teachers.	Spanish (Mexican-American)	74,853
Florida	Dade County pudlic schools	This project provides training to supervisors, project directors, and bilingual leaders in the school system.	Spanish (Cuban)	40,000
New Mexico	University of New Mexico	This provides training for teachers in curriculum development, including designing curriculum models, and use of the materials in bilingual classrooms.	Spanish (Mexican-American)	635,000
New York	State University of New York (SUNY)	This grant will develop a capability to train teachers for work in bilingual schools at SUNY, Albany, and at an off-campus center in New York City.	Spanish (Puerto Rican)	179,762
	Community School District No. 7	Bilingual educational personnel are being trained to serve Puerto Rican children	do	400,000
Ohio	Antioch College	The purpose of this grant is to develop in a Mexican-American college the capability of training bilingual teachers.	Spanish (Mexican-American)	78,991
Texas	University of Texas	This project trains primarily Mexican-Americans at the graduate level for leadership in the field of pupil personnel services.	do	404,000
District of Columbia	D.C. public schools	This project trains bilingual teachers	Mixed Spanish-speaking	77,997
Puerto Rico	Department of Education	The purpose of this project is to recruit and train Puerto Ricans to become teachers and aides for 3 schools in Bronx, N.Y.	Spanish	420,000

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DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)
OFFICE OF EDUCATION—Continued

III. Elementary and Secondary Education Act (ESEA), Title III

State plan program, section 305

Title III of the Elementary and Secondary Education Act has a hreefold purpose: (1) to provide supplementary educational centers and services; (2) to develop innovative and/or exemplary programs which can serve as models for regular school programs; and (3) to support guidance counseling, and testing programs. 85 percent of each State allotment is administered by the State under an approved State plan in accordance with section 305. The remaining 15 percent is administered by the Commissioner of Education under section 306.

In fiscal year 1973 the total appropriation for section 305 (State plans) was $133,826,521. A number of State agencies chose to use part of this money to fund bilingual projects. The amount so used in fiscal year 1973 was $1,626,405. The following is a list of fiscal year 1973 Title III bilingual State plan projects.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
California	State educational agency (Redwood Unified School District).	Children from Spanish- and English-speaking homes participate in this project which will enable them upon entering kindergarten, to demonstrate entry level skills and to maintain these skills, which are equivalent to the "average" of other children, in the same grades.	Spanish	$63,077
Colorado	State educational agency (Denver Pudlic School District No. 1).	A bilingual teacher skilled in teaching English as a 2d language will work with non-English speaking 4- and 5-year-old children who are having serious difficulty with English to help them to acquire a satisfactory level of English language proficiency and to build a positive self-image. Aides will reinforce classroom instruction through a strong home program which not only includes work with younger siblings but also help for parents.	do	40,219
Illinois	State educational agency (Chicago public schools).	Children from a Puerto Rican and a Mexican community, for whom English was a 2d language, participated in this project which sought to measure the results of the program against linguistic disadvantage, while discovering the positive outgrowths of incorporating 2 district cultural components into the program. The project provided each community with a preschool center; a skills development resource center including library, tutorial, and remedial educational services; and a Spanish cultural, language, crafts, and arts program.	Mixed Spanish (Puerto Rican and Mexican-American).	250,000
Massachusetts	State educational agency (Boston public schools).	This project is designed to develop a curriculum specifically planned to meet the needs of non-English speaking central city students and their bilingual teachers.	Spanish (Puerto Rican)	71,152
	State educational agency (Framingham public schools).	The project provides, on a regional basis, a complete full year program for non-English speaking students. Participants in the project are being prepared to achieve success in American schools while maintaining their native language speech and cultural pride.	Multilingual (Portuguese and Spanish-Puerto Rican).	88,035
Michigan	State educational agency (Preston Elementary School).	Preschool through grade 4 children participate in this project which is designed to: (1) raise achievement levels in reading and math in the dominant language, (2) develop pride in the native culture and appreciation of others, (3) teach a 2d language to assist in cross culture interaction, (4) train a cadre of instructors so the program can be integrated into other similar schools, and (5) involve parents as reinforcing agents in the instructional process. Activities related to Latin-American heritage and culture will be offered to students in all grades.	Spanish (Puerto Rican)	159,036
New Jersey	State educational agency (Elizabeth Board of Education).	This project is designed to develop supportive bilingual services to overcome the excessive drop-out rate for Spanish-speaking students in an inner city high school. Counselors assess the academic ability and scholastic potential of participants and work closely with them to develop an appropriate program of studies.	do	45,371
	State educational agency (Mays Landing High School District).	This project is designed to develop audio-visual materials to improve the English language skills of Spanish-speaking students in grades K-8. The materials will be produced by 12 high school students who are bilingual and experienced in cross-cultural education.	do	27,200

New York	State educational agency (District 14 Bilingual Elementary School).	Children in grades K-6 participate in this project which is designed to (1) insure that they are able to function on the same level as their English-speaking counterparts, (2) strengthen Spanish as well as English proficiency, and (3) create positive feelings toward school learning on the part of teachers, parents, community, and students. Parents and the community are also involved through workshops and meetings.	do	237, 167
	State educational agency (N.Y.C. Board of Education).	Inner city counselors who are serving in public and nonpublic schools are trained, in this project, in conversational Spanish to improve guidance services to the students and parents of the Spanish-speaking communities in New York City. Training was arranged with professional language institutes.	do	37, 166
		This project is designed to determine the bilingual priorities of New York City, develop staff expertise in localizing sources of bilingual information, collect and classify data on bilingual education, set up resource library, develop staff expertise in evaluating bilingual programs, and disseminate information on bilingual education.	Spanish	217, 016
New Mexico	State educational agency (Artesia public schools).	This printing component is a duplicating service which makes available bilingual materials to teachers participating in bilingual projects. The bilingual materials are printed in Spanish and are being developed by a national projected funded under Title III, ESEA in Miami, Fla.	Spanish (Mexican-American)	20, 000
	State educational agency (Roswell public schools).	This is a bilingual-bicultural teacher training component which uses complete immersion in 2 1-week sessions. Each semester the teachers undergo training which includes philosophy, methodology, practice teaching, observation, micro-teaching, and preparation of objectives in bilingual education followed by on-site monthly visitations by a teacher trainer.	Spanish	60, 000
	State educational agency (west Las Vegas schools).	do	Spanish (Mexican-American)	103, 494
	State educational agency (Carlsbad municipal schools).	This project provided bilingual videotape services to all schools of the district, making available lectures, demonstrations, dramatizations, panel discussions, presentations by resource persons, rebroadcasts of special T.V. programs, and closed circuit instructional T.V.	do	25, 110
Pennsylvania	State educational agency (Bristol school District).	The objective of this project is to create an open-space modified British primary unit for bilingual education. Participants are in grades 1 and 2.	Spanish (Puerto Rican)	11, 000
	State educational agency (Lancaster Lebanon Intermediate Unit No. 3).	This project is designed to: (1) develop the self-image of participants, (2) support their cultural identity, (3) prevent educational retardation, and (4) individualize instruction.	do	50, 000
	State educational agency (Reading School District).	Children in grades K-6 participate in this project which is designed to (1) teach English as a 2d language and the major disciplines in the native tongue, (2) increase competency in both the Spanish and English languages, (3) develop higher level of aspiration, (4) decrease the dropout rate, and (5) increase the knowledge and appreciation of the participants for the Anglo culture and Puerto Rican language.	do	50, 000
Puerto Rico	Department of Education (San German School).	Secondary education students who return from the United States and reveal serious problems in reading and writing in Spanish participate in this project. Monthly meetings are held, additionally, with parents of the participants.	Spanish	1, 362
	Department of Education (Papa Juan XXIII J.H.S.).	Puerto Rican children in grades 7-9 who cannot read or write in Spanish or who are interested in improving their command of English participate in this project which is designed to help them (1) improve academically, and (2) adjust socially and emotionally to the new environment. Activities include courses in English and Spanish, a special curriculum, and a counseling program.	do	70, 000

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DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

OFFICE OF EDUCATION—Continued

IV. Emergency School Aid Act (ESAA)

1. Assistant Secretary's Discretionary Funds, P.L. 92-318, Title VII, Section 708(a)

ESAA provides financial assistance for programs designed to prevent minority group isolation and, thereby, improve the quality of education for all children. This subsection authorizes the Assistant Secretary to make grants to, and contracts with, State and local educational agencies, other public agencies or organizations, or combinations of such agencies and organizations, for special projects which show promise of making substantial progress towards achieving the purposes of this act.

The total fiscal year 1973 appropriation for this subsection was $11,397,000 of which $2,839,000 was spent for the following special projects in the territories with major bilingual components.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
Guam	Department of Education	This program has 2 foci: (1) development and implementation of a bilingual/bicultural program in 6 schools grades 4-6, and (2) improvement of reading skills in English for children with low achievement scores.	Chamorro	$622,095
Pacific trust territories.	Headquarters Education	This program has 2 components: (1) development and implementation of a bilingual/bicultural program in grades 6-8 in 5 of the 6 member districts of the territory, (2) improvement of reading skills in English for children with low achievement scores.	Multilingual (Chamorro, Marshallese, Turkese, Ponapean, Palanan).	204,303
Puerto Rico	Department of Education	This project has 2 major objectives. (1) it will meet the needs of Puerto Rican students returning from the mainland by identifying "returning students" in 6 schools and planning a comprehensive program to help them adjust to their new environment, (2) it will adapt and translate vocational and technical instructional materials published in the United States.	Spanish	428,496
Virgin Islands	do	This program is designed to meet the needs of the approximately 6,200 alien students (mostly Spanish-speaking migrants from Puerto Rico) in the Virgin Island's school system. It has 4 components: (1) development of a bilingual/bicultural television series, (2) remedial reading and mathematics, (3) development of diagnostic assessment instruments, and (4) teacher training which emphasizes the island's language dialects, cultural heritage, and political structure.	Spanish (Puerto Rican)	1,584,106

2. Bilingual Education Set-Aside, P.L. 92-318, Title VII, Section 708(c)

This authorizes the Assistant Secretary to carry out a program to meet the needs of minority group children who are from an environment in which the dominant language is other than English and who, because of language and cultural differences, do not have equality of educational opportunity.

In fiscal year 1973, $8,888,013 was obligated for 39 projects under the ESAA Bilingual Set-Aside.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
Arizona	Roosevelt School District No. 6		Spanish (Mexican-American)	$129,878
California	Pasadena USD		do	152,551
	San Francisco USD		Chinese	318,611
	Santa Ana USD		Spanish (Mexican-American)	162,644

Connecticut	Norwalk public schools	The ESAA bilingual set-aside funds programs to develop reading, writing, and speaking skills in the English language and in the language of the child's parents or grandparents. A study of the history and cultural background of the child's ethnic group is also emphasized.	do	174,125
Florida	Dade County Board of Education		Spanish (Cuban)	752,396
	Palm Beach County Board of Education		do	363,366
Louisiana	Evangeline Parish School Board	The majority of the projects funded in fiscal year 1973 were served children at the K-3 level. Most of the projects were designed to complement on-going programs operated by the LEA's.	French	134,000
	Iberia Parish School Board		do	78,230
	Lafayette Parish School Board		do	117,080
	St. Landry Parish School Board		do	122,000
New Mexico	Mora ISD No. 1		Spanish (Mexican-American)	11,250
	Penasco ISD No. 4		do	43,400
New York	Community School District No. 1		Spanish (Puerto Rican)	339,691
	Community School District No. 4		do	360,270
	Community School District No. 11		do	65,195
	Community School District No. 18		do	219,964
Oklahoma	Stilwell School District I-25		Indian	98,950
Rhode Island	Providence public schools	See above	Portuguese	153,153
Texas	Austin ISD		Spanish (Mexican-American)	800,060
	Crystal City ISD		do	98,800
	Dallas ISD		do	1,245,770
	Eagle Pass ISD		do	95,470
	Edgewood ISD		do	201,850
	El Paso ISD		do	158,600
	Fort Worth ISD	See below	do	350,350
	Houston ISD		do	219,170
	Lubbock ISD		do	139,050
	Northside ISD		do	148,300
	Rio Grande City Consolidated ISD		do	147,190
	Rio Hondo ISD		do	41,050
	San Antonio ISD		do	469,000
	Weslaco ISD		do	103,000
	San Diego ISD	See above	do	61,200
	San Felipe-Del Rio Consolidated ISD		do	186,030
	West OSO ISD		do	100,780
	Zapata County ISD		do	50,010
Washington	Toppenish public schools		Multilingual	206,100
District of Columbia	D.C. Public School System		do	14 109,645

DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

OFFICE OF EDUCATION—Continued

IV. Emergency School Aid Act (ESAA)—Continued

3. Educational Television, P.L. 92-318, Title VII, Section 711

This authorizes the Assistant Secretary to pay the costs of development and production of integrated children's television programs. This is to be done through grants to, and contracts with, not more than 10 public or private nonprofit agencies, institutions, or organizations with expertise in the field of television programing.

The total fiscal year 1973 appropriation for this section was $6,838,000 of which $4,768,730 was spent for bilingual/bicultural programs.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
California	Bilingual Children's Television Project (BCTV).	A series of 65 half-hour bilingual/bicultural television programs are being developed for preprimary and 1st grade Spanish-speaking children. Negotiations are in progress to show these on national television (PBS) next fall.	Spanish	$3,500,000
Texas	KLRN, Austin KLRN-TV	A series of 30 bilingual/bicultural television programs are being developed for Spanish-speaking children in grades 2-4. Negotiations are in progress to show these on national television (PBS) next fall.	do	1,268,730

V. Follow Through

The follow through program is authorized by the Economic Opportunity Act, Title II, Section 222 (a)(2). It is focused primarily upon children in kindergarten or elementary school who were previously enrolled in headstart or similar programs.

The total fiscal year 1973 appropriation for follow through was $57,700,000 of which $3,251,097 was spent for the following bilingual programs.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
	Southwest Education Development Laboratory (sponsor).	The SEDL model emphasizes language as the main tool for dealing with environment, expressing feelings, and acquiring skills, including nonlinguistic skills. Pride in cultural background, facility and literacy in both the native language and English, and high frequency of "success" experiences are all central objectives. The theory applied by the model is that concepts 1st learned in the dominant language can easily be transferred later to a 2d language.		$468,368

California	Los Angeles USD	Optimal staffing includes a bilingual teacher skilled in the methodology of 2d-languge teaching and a bilingual aide in each classroom. Staff development aimed at continuous professional development of district teachers and administrators is a supporting component of the model.	Spanish (Mexican-American)	432, 000
	Tulare and Cutler-Orosi city schools		do	405, 864
Louisiana	St. Martin Parish School Board		French	235, 000
Pennsylvania	Philadelphia School District		Spanish (Puerto Rican)	450, 000
Texas	San Diego Independent School District		Spanish (Mexican-American	169, 200
	Northeastern Illinois State University (sponsor).	This sponsor utilizes the "Cultural Linguistic Approach" which is an oral language program. The rich cultural background and the oral capacity children bring to school become the basis for the curriculum. In language elicitation episodes, the children are encouraged to express their thoughts, concepts, and ideas in their own language. These episodes are taped and analyzed by the teacher, and the information is used to develop initial reading materials and to plan future lessons. Teacher-pupil developed materials that rise from the child's experiences are supplemented with books and stories reflecting the children's cultural heritage and life-style. Nongraded, multilevel classrooms are arranged as learning centers.		228, 011
Illinois	Chicago Board of Education		Spanish (Mexican-American and Puerto Rican).	200, 000
	University of California, Riverside (sponsor).	The philosophy upon which this model is based, that of "cultural democracy," emphasizes the importance of sensitivity to individual differences. The aim of this model is to develop an educational environment which is responsive to the learning, incentive-motivational, human-relational, and preferred communication styles of the children it serves, whatever their culture. The model attempts to systematically create and maintain a classroom atmosphere, curriculum design, and teaching and assessment strategies which reflect these styles. Teachers receive regular training in bilingual curriculum presentation, in writing and modifying curriculum materials, and in evaluation techniques and the uses of test results. Teachers are also trained in the language and the culture of the Mexican-American community.		179, 655
	Self-sponsored.			
Maine	Van Buren Administrative District No. 24.	All of Van Buren's kindergarten through elementary school children are now learning the follow through way where education is bilingual, bicultural, ungraded, open, and individualized.	French	137, 711
Texas	Corpus Christi Independent School District.	This follow through program provides bilingual/bicultural instruction. The child's native language, usually Spanish, is used for instruction when he first enters school. As the child learns English, instruction in this language increases. Individualized instruction is emphasized.	Spanish (Mexican-American)	238, 800

DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

OFFICE OF EDUCATION—Continued

VI. Handicapped

1. Early Education for Handicapped Children, Education for the Handicapped Act, Part C, Sec. 623

This authorizes the Commissioner to arrange by contract, grant, or otherwise with appropriate public agencies and nonprofit organizations for the development and carrying out of experimental preschool and early education programs for handicapped children which show promise of promoting a comprehensive and strengthened approach to their problems. The total fiscal year 1973 appropriation for handicapped children's early education program was $17,736,000. Of this $190,041 was spent for the following bilingual projects.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
New Mexico	Clovis Municipal School—REPSAC	This program provides early educational intervention for 3–5 year olds. Language learning in both English and Spanish and cognitive and affective learning are stressed in a responsive environment.	Spanish (Mexican-American)	$90,041
Texas	Edgewood Independent School District.	The purpose of this project is to provide infant stimulation and individualized help at the preschool level for children with learning disabilities or multiple handicaps. Bilingual methods are employed. The project provides training for other similar projects.	do	50,000
	Educational Services Center, Region 19.	This program provides bilingual training in conjunction with the Texas plan A for preschool children with learning problems, crippling conditions, hearing impairment, and other handicaps.	do	50,000

2. Research in the Education of Handicapped Children, Education for the Handicapped Act, Part E, Sec. 641

This authorizes the Commissioner to make grants to and contracts with States, State or local educational agencies, institutions of higher education, and other public or private educational or research agencies and organizations for research and related purposes and to conduct research, surveys, or demonstrations relating to the education of handicapped children. $134,893 was spent on bilingual research out of a total fiscal year 1973 appropriation of $9,916,000.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
Texas	Southwest Education Development Laboratory.	This grant supports bilingual curriculum development for children with learning disabilities.	Spanish (Mexican-American)	$134,893

VII. Indian Education

Special Programs and Projects, P.L. 92-318, Title IV, Part B

This authorizes grants to support planning, pilot, and demonstration projects to test and demonstrate the effectiveness of programs for improving educational opportunities for Indian children, to provide services not otherwise available, and to assist in the development and operation of preservice and inservice training programs for educational personnel. Grants are made, upon receipt of applications and approval by the Commissioner of Education, to Indian tribes, organizations and institutions, State and local educational agencies, and federally-supported elementary and secondary schools for Indian children.

In fiscal year 1973 the total part B appropriation was $5,000,000 of which $932,544 was spent for the following bilingual/bicultural projects.

State	Grantee	Purpose of grant	Language/Ethnic group served	Amount of grant
Alaska	Alaska Native Education Board	This grant provides a bilingual/bicultural program for grades K-12 in Alaskan village schools. A staff development component will train teachers and paraprofessionals so that the bilingual staff of the schools can be enlarged. Curriculum development and counseling components are also included in the project.	Eskimo	$200,000
Arizona	Dine Biolta Association, College of Ganado.	This grant supports a Navajo bilingual education center which serves schools interested in developing a more relevant educational environment. The center is used by 22 mission schools, 30 public schools, and 53 BIA schools. Although most users are elementary schools, service is also provided to some headstart projects and junior and senior high schools.	Indian (Navajo)	74,714
California	D-Q University	A native American language center is funded under this grant. Curriculum materials are developed for mission schools, public schools, and BIA schools in 2 native American languages. It is estimated that about 1,660 children benefit from using these materials.	Indian (Zuni and Papago)	250,000
New Mexico	San Juan Pueblo Tribe	The grant provides a bilingual/bicultural program for grades K-6. It includes components for staff development, curriculum design, and counseling. One of the main objectives is to enlarge the trained bilingual staff.	Indian (Pueblo)	117,350
	Dibe Yazhi Habitiim Olta, Inc.	A community-based bilingual/bicultural program is provided for grades K-5. Program components include teacher training, curriculum development, and counseling.	Indian (Navajo)	140,000
Wisconsin	Great Lakes Inter-Tribal Council, Inc.	This project has 2 objectives: (1) to provide training to native American teachers, teacher aides, and counselors to serve in the educational system at all levels, (2) to provide instructional and reference materials, both written and recorded, in 4 native American languages.	Indian (Ojibwe, Potowatomi, Menominee, Oneida).	150,480

DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

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OFFICE OF EDUCATION—Continued

VIII. Right-to-read

The Right-to-Read program is an administratively established unit within the Office of Education. Its purpose is to substantially increase functional literacy in the United States. Right-to-Read seeks to stimulate all reading programs to be more effective, regardless of the source of funding. The program impacts on Federal State grant and discretionary funds, State funds, and local funds.

The fiscal year 1973 Right-to-Read budget was $12,000,000 of which $951,500 was spent for the following bilingual and/or ESL projects.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
		1. Community-based projects		
California	Chinese for Affirmative Action—Media Committee.	This program is geared for the development and national distribution of the T.V. English project materials for teaching English to Chinese speaking people.	Chinese	$50,000
Colorado	Denver Public Library	The main goal of this program is to reach Chicano young adults between the ages of 16-24 who need assistance in improving their reading to at least the 6th grade level. A major focus of the program is teaching English to non-English speaking adults.	Spanish (Mexican-American.)	80,000
Connecticut	Hartford Board of Education	This reading skills program has an ESL component for adults of limited English-speaking ability.	Spanish (Puerto Rican)	35,000
Idaho	Idaho Migrant Council	This program's objective is to upgrade educationally the Mexican-American farmworkers through programs in ESL, adult education, and GED preparation.	Spanish (Mexican-American)	45,000
Illinois	Operation Highsight	This project works with junior and senior high school students to improve their reading skills. It offers bilingual and ESL instruction.	Mixed Spanish (Mexican-American, and Puerto Rican).	55,000
Indiana	Latin American Family Education program.	This project has developed a reading program for the entire non-English speaking family. Adults are taught how to read, write, and speak English while their children are tutored in these and other areas. It also assists the adults in securing employment and social services.	Mixed Spanish (Mexican-American, Puerto Rican and Cuban).	60,000
Massachusetts	Bristol Community College.	This program is geared toward the language and communications skills needs of the recent Portuguese imigrants. Reading instruction in both languages is an important aspect of this program.	Portuguese	60,000
Nevada	Northern Nevada Community College	This program uses ESL techniques to provide reading instruction for over 100 illiterate, and undereducated adults who are culturally, geographically, and linguistically isolated.	Multilingual (Spanish, Mexican-American and Indian).	24,500
New Jersey	New Jersey Federation of Colored Womens' Clubs-Department of Migrant Education.	It provides adult migrant workers with instruction in reading, and communication skills. Also it attempts to secure vocational training for those who want it. The program attempts to assist the migrant in adjusting to his new role when he leaves the migrant stream. Instruction with a bilingual or ESL approach is used.	Spanish (Puerto Rican)	25,000
Oklahoma	EL Reno Federal Reformatory	This program, based on a diagnostic-individualized concept, is designed to make functionally literate approximately 200 male inmates. An ESL reading program is available for the non-English-speaking students.	Multilingual (Mexican-American, Indian, Puerto Rican).	40,000
Oregon	Chicano-Indian study center of Oregon.	This program is both urban and rural based. Reading instruction is provided using the bilingual and EDL approach.	Multilingual (Mexican-American, and Indian.	55,000

Pennsylvania	Aspira, Inc., of Pennsylvania	The major emphasis of this program is the improvement of the reading abilities of these students. The program is based upon interaction of cultural and social topics. Part of motivation is provided by offering stipends to the students based upon achievement and attendance. A variety of medical and social services are also available.	Spanish (Puerto Rican)	50,000
Texas	El Paso Community College	The major emphasis of this program is to provide essential skills (especially reading) to young people who have been diagnosed as deficient in this area. The reading/study skills laboratory is extensively used. ESL and bilingual methods are used when necessary.	Spanish (Mexican-American)	40,000
	Houston Community College	This program works in coordination with the large ABE program at Houston Community College. It offers reading instruction to non-English speaking or limited English speaking adults. Emphasis is on skills necessary to obtain and retain employment.	do	45,000
Washington	Mid-Columbia regional library	This project is designed to teach reading skills using both English and Spanish to Mexican-American migrant adults. Informal instruction is given at the migrant camps, homes, fields, classrooms, churches, et cetera. A Mexican-American bookmobile serves the migrant camps.	do	25,000
District of Columbia.	English Institute for Latin Americans	This program provides reading instruction for non-English speaking adults to help them become litarate and conversant in English and improve job opportunities.	Mixed Spanish (South and Central American).	50,000
		2. School-based projects		
California	Los Angeles City USD	Bilingual teacher-aides provied bilingual/bicultural reading instruction for children in grades K-4. Teacher aides receive inservice training which focuses on cultural awareness and oral language skills.	Spanish (Mexican-American)	20,400
	Riverside school district	This project provides a bilingual multiaged language arts program using Distar materials. A staff development component trains teachers, aides, tutors, and parents in bilingual techniques.	do	13,800
	San Ysidro school district	This project employs a Spanish and an English linguistic system separately and consciously as mediums for speaking and thinking. There is an inservice training component for teachers, aides, and volunteers.	do	30,000
Florida	Dade County public schools	8 teachers give special instructions in ESL and SSL	Spanish (Cuban)	18,000
Indiana	School City of Gary	A spanish language program is provided along with English remediation activities. Older students and senior citizens are utilized as bilingual aides.	Multilingual (Spanish, Indian, Asian)	23,000
Louisiana	St. Martin Parish school district	This project is geared to providing teachers with the techniques and approaches to reading instruction necessary for serving children of limited English-speaking ability.	French	25,000
Montana	Hardin public schools	This project has developed bilingual Crow-English reading materials	Indian	15,000
Pennsylvania	Philadelphia public schools	The aim of this program is to provide reading instruction in the dominant language and competence in the second language. A staff development component providas training in bilingual/bicultural techniques.	Spanish (Puerto Rican)	31,800
Texas	Education service center, region 1	Bilingual reading programs are operated in 7 school districts in grades K-2	Spanish (Mexican-American)	40,000

DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

NATIONAL INSTITUTE OF EDUCATION

NIE is a separate agency within DHEW which was established in 1972 by Public Law 92-318. It has a broad legislative mandate to improve education in the United States through educational research and development, collection and dissemination of findings, and the training of educational researchers. The Institute fosters these activities through grants, technical assistance to, or jointly financed cooperative arrangements with, public or private organizations, institutions, agencies, or individuals.

In fiscal year 1973, NIE spent $3,037, 539 to fund the following bilingual/bicultural research and curriculum development projects.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
		I. Research		
Alaska	Center for Northern Education Research	Bilingual Education and Cultural Identity—will gather in-depth information about the cultural effects of bilingual education.	Eskimo (Yupik)	$55, 091
California	University of California	Program for Research on Objective Based Evaluation—will develop a comprehensive bank of objectives for reading in both English and Spanish, with corresponding texts, for grades 1-12.	Mixed Spanish (Mexican-American, Puerto Rican, and Cuban).	270, 000
Florida	University of Miami	Role of Education Experience in Political Acculturation of Cuban Students—will study the role of educational experience in shaping political values, attitudes, and orientations of Cuban refugee youth in Miami.	Spanish (Cuban)	67, 980
Illinois	Illinois University	The Acquisition of Cummunitive Competence in a Bicultural Setting—will study children acquiring 2 languages in a bicultural setting.	Spanish (Mexican-American)	125, 758
Kansas	University of Kansas	Bilingual Classrooms in a Mexican-American Community—will relate the question of developmental concept formation in children to the confrontation with a second language.	do	18, 879
Massachusetts	Harvard University	Second Language Acquisition Sequences in Children—will investigate the processes of second language acquisition.	do	50, 027
Michigan	Wayne State University	Reading of American Children Whose Language Is a Stable, Rural Dialect of English, or a Language Other Than English—will study the reading process at various stages of proficiency for groups which speak the dialects/languages indicated at home.	Multilingual (Eskimo, Navajo, Mexican-American, Samoan, rural Maine and Hawaiian, Pidgin, Appalacian White and Mississippi Delta Black).	204, 194
New York	Columbia University	Linguistic Analysis of the Tanaina Language Base Line for Bilingual Education—will undertake a descriptive analysis of an American Indian language for the purpose of developing teaching materials for use in a program of bilingual education.	Indian (Alaskan natives)	9, 892
	American Action League	This grant will be used for a bilingual learning laboratory for Spanish-speaking students.	Spanish (Puerto Rican)	121, 838
Texas	University of Texas	Language Comprehension in Children—will attempt to develop techniques for measuring the language comprehension process in pre-school children.	Spanish (Mexican-American)	64, 498

II. Curriculum development

New Mexico	Southwest Cooperative Education Lab	This project aims to extend the communication effectiveness of 3-9-year-old children	do	431, 999
Oregon	Northwest Regional Education Lab	This project aims to improve the reading, spoken, and written English language skills of culturally different and economically disadvantaged children while simultaneously increasing their self-confidence.	Multilingual (Indian, Alaskan Native, Guamanian, Samoan, Black).	403, 000
Texas	Southwest Educational Development Lab.	A set of tested products directed toward language development and cultural awareness for Spanish-speaking children in grades K-2 will be developed.	Spanish (Mexican-American)	492, 000
District of Columbia.	Development Associates	This evaluation of the Edgewood Texas school district will examine how a school system with a 95 percent Mexican-American population adapts its services to maximize the learning ability of its students.	do	722, 383

OFFICE OF CHILD DEVELOPMENT

I. Project Headstart

Headstart is authorized by the Economic Opportunity Act, Title III, Part B, Sec. 222(a)(1).

It is focused upon young children who have not reached the age of compulsory school attendance. In fiscal year 1973, several bilingual projects were operated as part of the Headstart's Child Development Associates (CDA) program. CDA seeks to create a new category of educational staff trained to meet the need for competent personnel in preschool programs.

State	Grantee	Purpose of grant	Language/ethnc group served	Amount of grant
New Mexico	University of New Mexico	The University of New Mexico will use innovative approaches to train a corps of early childhood personnel who can effectively function in ethnically diverse communities. 30 trainees will be selected who exhibit bilingual/bicultural knowledge and skills.	Spanish (Mexican-American)	$68, 000
New York	The Teachers, Inc	This project will train 50 child-care workers in 2 years. Trainees will be prepared to work in preschool programs that serve inner city black and Spanish-speaking communities. One-half of the participants will receive special training in bilingual/bicultural techniques.	do	75, 500

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DETAILS—DHEW EXPENDITURES ON BILINGUAL EDUCATION AND/OR ESL—FISCAL YEAR 1973 (OTHER THAN TITLE VII, ESEA)—Continued

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OFFICE OF CHILD DEVELOPMENT—Continued

II. Children's Bureau

Research and Demonstration Grants Program, Social Security Act, Title IV, Part B, Sec. 426.

Under this authority the children's bureau supports major research and demonstration efforts in selected areas of high impact and national concern where utilization of research is expected to make a substantial contribution to the development of children. Grants may be awarded to public or other nonprofit institutions of higher learning and to public or other nonprofit agencies and organizations engaged in research on child welfare activities. Contracts are available to States and public and other organizations and agencies.

State	Grantee	Purpose of grant	Language/ethnic group served	Amount of grant
California	Santa Barbara Family Care Center	A demonstration model family care center provides a guided but cooperative bilingual participatory program for low-income mothers and their preschool children. The program focuses on opportunities for parental participation to enhance the parent's sense of competence by providing a new type of institution where they can be active and capable teachers of their own children.	Spanish (Mexican-American)	$95, 303
	Kern County Economic Opportunity Corp.	This is a Head Start day-care center program for settled and migrant Spanish-speaking children, which includes a bicultural, bilingual educational program emphasizing language and learning patterns of Chicano children. The main emphasis of the program is to provide services for children and to assess the effectiveness of these services.	do	49, 773
	Campesinos Unidos, Inc.	This is a bilingual, bicultural day-care program for 40 3- to 5-year-old children of migratory and seasonal farm workers in the Imperial and Coachella Valleys of Southern California.	do	49, 705
Illinois	El Hogar del Nino	This is a demonstration, bilingual program aimed at increasing the language competence and self-esteem of preschool children. The program utilizes the curriculum developed by the Southwest Educational Development Laboratory in an unstructured setting, combining free-play activities with individually structured lessons. Medical screening and services are provided.	do	102, 500
Nevada	Economic Opportunity Board of Clark County.	This program offers a bilingual, multicultural experience for migrant Indian, Chicano, and Anglo children within the context of a Head Start program. The main focus of the program is to teach English to the non-English-speaking children. Multicultural awareness will be stressed through music, art, stories, and games.	Multilingual (Mexican-American and Indian).	14, 999
New York	Puerto Rican Association for Community Affairs, Inc.	The project has developed a bilingual, bicultural curriculum and materials for Puerto Rican Spanish-speaking preschool children.	Spanish (Puerto Rican)	67, 474
Ohio	The Spanish Speaking Committee for a Better Community.	The project will demonstrate the feasibility of providing a bilingual, bicultural education program in the context of a full-day care center, staffed by community people who have little or no formal training but who are themselves bilingual and bicultural.	Spanish (Mexican-American)	104, 103
Utah	Department of Psychology University of Utah.	This project utilizes a unique delivery system for both child care services and a bilingual-bicultural curriculum. Bilingual-bicultural day care services are provided by directly involving the mothers of young, 2- to 3-year-old Chicano children in an ongoing early education program. The mother serves as the primary instructor for her own and 9 other children, and receives related training in child development.	do	14, 972
Wisconsin	United Migrant Opportunities Services, Inc.	A program of comprehensive early child development services and activities is carried out for 50 migrant families and children in Spanish and English which provides a healthy environment for the primary language and culture of the Spanish child, while acquainting him with the second language and culture.	do	103, 675

Mr. BADILLO. Would you tell us for the record now, out of the 1.8 to 2.5 million children, aside from the $35 million that you are requesting to be appropriated for just title VII, what percentage of those children would be getting Federal assistance in the coming years so we would have an idea precisely and specifically in terms of how much money you envision as appropriate for the Federal role?

Mr. CARLUCCI. We can give you those figures for all the programs right now except title I. As you know, the title I project progam is run by the State. But we do anticipate and we do think that there are substantial expenditures under title I provided.

Dr. OTTINA. Congressman, if I might just for a moment, I think that the statement the Under Secretary gave earlier suggested that there was indeed a role in terms of financing that the Federal Government should undertake and suggested that there were at least two alternatives.

They were alternatives that should be explored with this committee. One of them was dealing with title I, and the other was an approach along the lines of the Emergency School Aid Act.

What we are suggesting now in terms of increased funding for title VII and the other two programs is that the problem does exist. It is a problem. Recognizing its impact, while that discussion should hammer out in precise manner what that role should be and how it should be funded, methods should be used that would continue to support those activities that we unanimously agree on and provide funds to do that.

Mr. BADILLO. I understand the Federal role is 100 percent sympathy and interest. I am talking about funding. Fifteen months from now is a long period for discussion. We see very clearly what the need is, obviously, in teacher training for bilingual programs. There is going to be money spent for bilingual teacher training.

Therefore, since you have stated yourselves a few minutes ago that the need is in tens of thousands, it would seem to me that the amendment is going to serve a very limited number of the people who have that need.

Dr. OTTINA. Your statement in general is true. But in fact it doesn't account for some of the programs which do support teacher training.

Mr. BADILLO. Bilingual programs? I want to know what you consider the total Federal commitment to be in terms of funding of all programs so that we get some idea of what in fact you consider the Federal role in funding.

Dr. OTTINA. Congressman, if I may just add a little to that statement, we will be pleased to describe for you the current set of programs and their funding toward the problem of bilingual education.

Mr. BADILLO. Also would you present additional appropriations along with the $35 million that you have testified about this morning?

Dr. OTTINA. Yes. Our statement today is addressed to the recognition of the large problem that is before us. We must address it together to determine what that role should be. The present set of descriptions that we will provide for you, in our opinion, may not be the total answer to the problem.

Mr. BADILLO. I am just talking about this question of money first. If you give me the answer to the small question, then we can go on to the larger one.

The large question, it seems to me, is that there is some confusion about the definition of "bilingual" as I read it, between the statements and letters of Mr. Evans and those of Mr. Molina, which is the official document, which spells out what your office considers to be the definition of "bilingual education."

Dr. OTTINA. I believe that the question you are asking, I am going to have to answer that we do not have a definition for "bilingual education."

Mr. BADILLO. Are you working on such a definition?

Dr. OTTINA. We believe that is a determination that the local school district should make and not the Federal Government.

Mr. BADILLO. You do not intend to provide any?

Dr. OTTINA. We have not thus far intended and do not foresee——

Mr. CARLUCCI. Nor does the *Lau* decision oblige the Federal Government to define it.

Mr. BADILLO. No, but the Senate bill has a definition of some of the activities which come under "bilingual."

Mr. CARLUCCI. The Senate has its definition, yes, sir.

Mr. BADILLO. I would like to know if the administration has, or is going to have, one. If you don't, then I am glad to hear that, too.

Mr. CARLUCCI. As Dr. Ottina has indicated, we think there ought to be local flexibility on this issue. With a nationwide definition you may not meet the needs of a particular locale.

Mr. BADILLO. If you do not have a nationwide definition, do you have now or are you planning to have any specific guidelines with respect to a general definition of bilingual or bicultural programs?

Mr. CARLUCCI. Obviously we are going to have to look at the results to see, if in fact, the local school district is making its services available to those who are linguistically handicapped. In doing that, we will obviously add certain criteria.

But, once again, I think we would be handicapping the school district if we were to set uniform standards throughout the country.

Mr. BADILLO. I have two documents here. One is by Mr. Evans. It says "Basic Policy on Bilingual Education."

The other one is from Mr. Molina. It says "Position Paper on Bilingual Education."

They do not say the same thing. We would like to know which is your basic position or policy or definition that you use?

Or are you saying that these documents have no significance and we would like to know that, too, if so.

Dr. OTTINA. They have no significance in the context that you are asking the question.

Mr. BADILLO. Do they have significance in any context?

Dr. OTTINA. Yes, sir, they do.

Mr. BADILLO. What context is that?

Dr. OTTINA. The question that you are posing is a question that we are deeply concerned with. That is, should there be such a definition and if so what should it be.

So we have been trying to frame in our minds and discuss various points of view and to look at the existing projects to see what they are doing and to attempt to assess which are achieving results and which are not. In order to do that, we have to lay out some benchmarks.

Mr. BADILLO. I just want to know what you are doing. I am not trying to criticize. There is a serious question which has nothing to do with which side of the political fence you are on.

Mr. Carlucci's statement addressed itself to the question of bilingual education from the point of view, as he says, "to help the child become proficient in the English language without a negative self-image," as it is called.

Of course a lot of people who don't have a negative self-image, such as the Puerto Ricans, feel that they were here long before the United States. It so happens the United States conquered Puerto Rico in 1898. In 125 years they have not abandoned the Spanish language and I don't think they are going to for the next 150 years. That is the attitude of many of the parents.

The problem is that if you take the view that you are going to move from the Spanish language to the English language, to English language proficiency, then you are going to get to the point where the child is at a grade level and you are going to drop the Spanish language. You will find that the child is going to fall back 1 or 2 years later because what you are doing is separating the child from his family.

You see, the family is not about to change its Spanish language or Italian or Greek or Chinese or whatever it might be.

This theory says that the extent of bilingual education shall be up to a point and that then you will drop the bilingual component except for maybe a couple of courses in basic literature and go on from there.

But the problem with that is it separates the child from the family.

We all agree, I think, those who are involved in education, that in order for a child to move along in school one of the most important influences is the family.

Of course, that is Mr. Jencks' whole theory. The reason that this becomes important is that if you have this working definition of bilingual education, we are going to get a totally different result not only in the kinds of programs that are approved but in the whole philosophy of teacher training.

So it becomes important that I find out, and the other members of this committee, how you arrived at this particular definition.

Mr. CARLUCCI. Congressman, let me ask Dr. Ottina to address that. But first let me say that my statement is the official position of the Department, any internal documents you may have notwithstanding.

Mr. BADILLO. I am talking about your statement. That is why I wanted to know what internal documents led to this statement. Because your concept there about moving up to a point and then dropping it, is, I think, precisely the worst possible concept that you can have in bilingual education because it gets to a point where you are going to drop them and you are going to separate them from the family.

You will find 5 years later, 6 years later, that the child is going to be several years behind because he will not be able to reinforce whatever he is learning in school with what he is learning in the family.

As long as you have that bilingual component, the child is learning in the classroom. But that learning is being reinforced at home and with adults and friends of the family.

When you cut that off, you are cutting off a very substantial part of the supplement to the school which enables the child to keep up.

Dr. OTTINA. The very concerns which you are expressing, Congressman, are the concerns that led to the development of the papers in our office to better identify the wide range of approaches that exist in dealing with the problem that you are suggesting.

There are, I am afraid, no positive research findings that support the hypothesis that you suggest, although intuitively many people believe strongly that your position is correct.

Let me just quickly add that there are other people who do not and who believe that other points of the continuum that we are describing are the proper points.

It is for that basic reason that we have permitted in these 7 years the program has suggested a wide variety of approaches to the problem.

It is also for that basic reason today that we are asking ourselves to look at these programs to see where they are on this continuum and to begin gathering data to support the correct position.

It is my personal feeling that there is no single position that we will find communities in which the conditions which you describe because the community itself operates in a tongue other than English and that would be needed to keep in contact with the community.

I also believe that there are other communities which operate in the English language predominantly and that would come into the normal activities of the family.

The other conditions would be the proper conditions to take. I think there are a wide range of possibilities.

Mr. BADILLO. The only difficulty of that is that in other areas of Government where we recognize that there is no basic fundamental position in which we believe that local government should come up with its own theories, the policy that is adopted at the Federal level in order to take this wide range into account is the most flexible policy.

And here, where by your own admission you say that there is no solution, you are taking a very limited and rigid position where you are saying that the bilingual program should cease.

What we are saying is that because situations may vary and that there are cases where the limited approach may be successful, we should have a definition that goes beyond it and includes the full component of bicultural and bilingual programs so that where it applies, that program is enacted.

We think that that policy would be the best one for the Department and for the country.

Whether you will approve a full range of services in a given locality, we suggest that you should not in the legislation be bound by this kind of narrow interpretation.

We are saying that the law should be changed to provide a broader approach, unless the Department would now say that it would adopt the broader definition that we are seeking.

Mr. CARLUCCI. Mr. Badillo, I think you are reading more into my statement than is there.

Mr. BADILLO. I think it is very limited in its outlook.

Mr. CARLUCCI. I believe you are speaking of the sentence, "we believe that goal should be to enable limited or non-English-speaking children to attain the competence they must have in the English language if they are to compete successfully in American society."

Is that the sentence that troubles you?

Mr. BADILLO. No, I am talking about page 10. You say——

Mr. CARLUCCI. That is where I am on.

Mr. BADILLO. On page 10 and page 11 you are talking about going up to a certain point and then stopping.

You seem to believe that once the quote "competency of English" is obtained——

Mr. CARLUCCI. You are misinterpreting my statement there Congressman. I am talking about an initial investment in teacher capacity. Once you have hired qualified teachers, obviously they are there to stay. So you have that one-time expenditure in developing the teacher capacity. Then that capacity continues in the school system.

Mr. BADILLO. I am talking about bilingual education. You seem to be saying it should be up to the point where there is proficiency in the English language.

Mr. CARLUCCI. I say the goal should be to enable limited and non-English-speaking children to gain the competency they must have in the English language in order to compete successfully within American society.

I think that allows a great latitude at the local level for the development of bilingual programs.

Mr. BENITEZ. Will the Congressman yield?

Mr. BADILLO. Certainly.

Mr. BENITEZ. I would think the difficulty some of us are having is this: I seem to assess differently your position and the one Mr. Molina has expressed from the one put forth by Mr. Badillo.

The position you seem to hold is that we are in the beginning of a very broad and significant problem and we don't have definite answers and therefore we have to continue to explore the situation and talk among each other.

But in the meantime we have to realize that the difficult dimensions of the problem are much greater than heretofore had been identified.

Mr. CARLUCCI. We agree with that.

Mr. BADILLO. One last question, because obviously we are not going to solve this today: if you don't develop a departmental definition of bilingual education, then you don't have any clear philosophy that we can look at at least, if not agree upon, then what criteria are you going to be using when you evaluate these programs?

Can you supply us with that?

Mr. OTTINA. We will look at the achievement of the student in terms of proficiency in English and his ability to get along in the school. Looking in terms of results.

Mr. BADILLO. You will not research programs that have the full component of bicultural aspects?

Dr. OTTINA. We have not in the past.

Mr. BADILLO. You do not intend to in the future?

Dr. OTTINA. We do not intend to in the future. But talking with Congressman Benitez, as we mentioned the possibility of altering our posture on title VII and other areas. But as we see it today the answer is no. We do not intend to do so.

Mr. BADILLO. Thank you.

Mrs. CHISHOLM. Mr. Bell?

Mr. BELL. Thank you, Madam Chairperson.

Mr. Carlucci, you have testified as to your basic disagreements with the basic provisions of the Senate bill, S. 1539. Can you tell me specifically which provisions for bilingual education the Department of HEW would support?

Mr. CARLUCCI. In response to an earlier question from Mr. Steiger, we agreed to submit our position for the record.

Mr. BELL. Previous HEW witnesses have stated that primary responsibility for implementation of *Lau* decision lies with the local district.

Do you then see a problem that when Federal bilingual funds are used, they are being used to supplant rather than to supplement?

Mr. CARLUCCI. HEW addressed this question in determining policy. I suppose that is the general policy concept.

Mr. BELL. Continuing further on your premise that local districts bear primary responsibility for developing and conducting bilingual education. It has been shown by decisions such as *Serrano* vs. *Priest* that local agencies have differing abilities to finance such education relative to the wealth, the property, in the district.

Do you address the problem of districts which cannot fully meet the needs of its bilingual children?

Mr. CARLUCCI. I think there is a very heavy State responsibility there, Mr. Bell.

Mr. BELL. In your original statement you said local and State.

Mr. CARLUCCI. I said local and State. I think primary responsibility for equalization should rest with the States.

According to a report by the Council of State Governments, the States are in a better financial position to do this now than the Federal Government.

It says most States experienced surpluses at the end of fiscal 1973. The improved fiscal condition of most States enabled legislatures to pass tax relief and improve State services and additional capital projects.

The largest surplus, it says here, was your own State.

Mr. BELL. Thank you. I want to say, Mr. Carlucci, it is a pleasure to have you testify before this committee any time.

I consider you one of the outstanding administrators.

Mr. STEIGER. Will the gentleman yield for just one quick question?

Mrs. CHISHOLM. One more question.

Mr. STEIGER. One of the problems that strikes me as we talk about this whole area is that there are obviously a number of different

Federal programs which, to one extent or another, impact bilingual education.

But title I and title VII and emergency school aid all have different guidelines and different rules which make it almost impossible to coordinate the effort at the Federal and local level.

How do we do a better job with that?

Mr. CARLUCCI. Organizational rigidities also make it difficult to coordinate our programs. We face a fundamental management issue at HEW in trying to coordinate the multitude of programs we have with different cycles and different guidelines and different statutes for over 300 programs.

We can't even develop a management information system on a unified basis to find out what we are doing because the programs don't hold still long enough.

We desperately need program consolidation and simplified management authority at HEW.

Mr. STEIGER. Thank you.

Mrs. CHISHOLM. Thank you very much, Mr. Carlucci, and members of the panel. I would like to reiterate certain things to make sure that we understand each other.

First, your testimony today indicated clearly over and over again that it is a State and local responsibility in this particular field and you recognize that the Federal Government does have a responsibility in terms of establishing some national guidelines that will be followed by every local area and every district because in the event that the Federal Government does not establish some very basic guidelines, we know that these programs in many instances would not lead down to the benefit of the powerless and the helpless of society.

We only have to go through the Civil Rights Act, the civil rights movement, to make that analogy.

Secondly, I think your testimony, yours and your panels refers to the fact that there are other programs that do have funds for bilingual education.

You mentioned title I, the Emergency School Act. Yet we note that the title I formula has been changed, that there is a broadening base of the funds and it can't do the kind of effective job that is necessary.

Yet we also know at this moment that there is a defunding of the Emergency School Aid Act. So, therefore, what you might give with one hand you take away with the other. We can see what is already happening with revenue-sharing funds that are supposed to come into the cities and States. They take the place of grants.

In essence what we are trying to say today is that the Federal Government has a very, very definite role to play in terms of laying down the guidelines and that hopefully we would be able to recognize that on the basis of all the testimony that we have had in the previous weeks from people who never had testified as to the programs that affect their lives, the Indian persons who came here, Chicano persons and other individuals who came here, for the first time to Washington to testify with respect to bilingual education. We hope that the testimony would not have been in vain and that we will be able to make some reassessment, some changes, on the basis of all that has happened here in the past 2 weeks.

I want to thank you and your panel for being here today.

Mr. CARLUCCI. Mrs. Chisholm, may I correct one statement you made where you say we disagree?

You mentioned the Indians. When I said the Federal Government has a unique responsibility for reservation Indians, I feel we also have a particular responsibility for nonreservation Indians and that we should see that nonreservation Indians have access to all those services that other citizens receive.

That is presently not the case. I am very concerned over that situation.

I myself am going to head a task force that will work on that particular problem.

Mrs. CHISHOLM. Thank you very much, Mr. Carlucci.

I think that is terribly important because there are three times as many Indians off the reservations.

The hearings on the bilingual act have now been concluded.

I wish to thank all those present who participated as participants and/or observers.

The meeting stands adjourned.

[Whereupon at 12:15 p.m., the hearing adjourned.]

BILINGUAL EDUCATION ACT

FRIDAY, MAY 10, 1974

House of Representatives,
General Subcommittee on Education
of the Committee on Education and Labor,
New York, N.Y.

The subcommittee met at 9:45 a.m., pursuant to notice in the auditorium of the High School of Art and Design, New York, N.Y., Hon. Shirley Chisholm (presiding).

Present: Representatives Chisholm, Biaggi, Badillo, and Peyser.

Also Present: Representative Abzug.

Staff Present: Rod Keiser, legislative assistant to Mr. Badillo; and John Lee, minority research assistant.

Mrs. Chisholm. The bilingual hearings will now come to order. This morning we are very pleased to have with us on this panel Representative Mario Biaggi, Representative Herman Badillo, Representative Peter Peyser, and Representative Bella Abzug.

We are here this morning to secure testimony from some of the different ethnic groups that make up this multifaceted city of New York with respect to gathering as much information as possible to dramatize, at least in the city of New York, the need for expanded bilingual programs. We will hear from the witnesses information as to how we can improve legislation pertaining to bilingualism, what are some of the resources and some of the things we need to address ourselves to.

We know that today in this country there are close to 5 million children who have English-speaking difficulties. There is definitely a connection between the retardation of these youngsters in schools and their inability to handle the English language, which is the only language used and taught in the different curriculums in the various schools.

We have had a Bilingual Education Act in which monies were utilized only to help 111,000 children in this country, although we know there are over five million children that need a great deal of help.

So, I am going to call on my colleagues for a few brief remarks and then we will proceed with the hearing. I am going to now call on Representative Biaggi.

Mr. Biaggi. Thank you, Madam Chairman.

We are here, of course, to explore the possibility of developing a multifaceted type of bilingual program. The effect of the bilingual program now in existence has proven to be most salutary. The most unfortunate part of it as it now exists is it is inadequate as far as money is concerned for the areas now being covered, and the areas that are being covered are limited and most exclusionary.

We do have a multiethnic background in the country and there is no question of the need for bilingual programs. It is essential.

In yesteryear young people groped very agonizingly to learn. Happily, with progress and an enlightened attitude, the advent of bilingual programs in order to facilitate their ability to learn and to grope with the language and understand the language and understand the curriculum has come about.

There is no question about the efficacy and need for this multilingual program. The importance is such that it should be made available to everybody. That is exactly why we are having this hearing: to determine the areas that have been neglected and the areas that should be addressed.

Mrs. CHISHOLM. Mr. Badillo.

Mr. BADILLO. Thank you, Madam Chairman.

These hearings are by no means theoretical. In fact, they are most urgent. This year, about 6 weeks ago, the House of Representatives passed the Elementary and Secondary Education Act, which includes title VII for bilingual education.

At that time I introduced amendments to title VII to provide more government assistance for bilingual and bicultural education. The chairman of our committee, Mr. Perkins, requested the matter be laid over because of the pending public hearings, and he indicated that amendments would be taken up at the conference between the House and the Senate, which, hopefully, will be taking place in a few months.

Therefore, the testimony we are about to receive is crucial in terms of seeing to it that some of the amendments that are necessary to strengthen the concept of bilingual and bicultural education may be added to the law this year.

Mrs. CHISHOLM. Thank you.

Mr. Peyser.

Mr. PEYSER. Thank you very much.

I also want to join with my colleagues here in expressing the importance of this hearing to us, to get some firsthand input from you as to what your concerns are and what your feelings are on the bilingual program.

I think that Congressman Badillo has certainly played a leadership role in our Committee on Education and Labor to point out very strongly in Congress the absolute need for this type of program.

I think those of us who are on the panel today, certainly on the Education and Labor Committee, have supported and will continue to actively support the program. What we are really looking for now are ways to improve the problems you see in it.

This is the best way I know of to get the kind of information directly from the people involved. I do appreciate this opportunity and I am looking forward to your testimony.

Mrs. CHISHOLM. Representative Abzug.

Ms. ABZUG. I want to compliment Representative Chisholm and Badillo and their colleagues on the Education and Labor Committee for bringing this hearing to the people, and for getting the direct input with respect to a subject that is very important to all of us.

I am not on the Education and Labor Committee but, as a Congresswoman from New York, I am very much interested in the bilingual program, not only because of my own constituencies that are very much involved in this, but because of what I think is essential in a great and meaningful movement in a democracy.

We have got to deal with the nature of people's needs in education. This starts at the bottom and the bilingual education program that all of the members, particularly Herman and Shirley and others have fought for, and that I have fought for for my own and other constituencies, I think is where we find the most basic failure of commitment on the part of the administration; that is, its failure to commit itself to democracy in any sense.

If you don't provide for people in learning, people who are teaching, where democracy has to start and where meaningful participation in not only the educational process but in the economic process, as well as the political process, then you are not really sincere.

Your commitments here today are going to have new meaning as we have new meanings in where the government is going and our capacity to get amendments for funding and teaching and educating.

The Members of Congress have to deal with the problems of people who have the greatest problems in our society, but can begin to make the greatest contributions. So I want to compliment you.

I am sorry that I may not be able to stay for this part of the hearings, I have to be elsewhere, but I hope to be able to return to hear the testimony of witnesses here and, if not, you can be sure that I will read this testimony very carefully and offer whatever cooperation I can.

Mrs. CHISHOLM. Thank you very much.

At this moment, we are going to ask the unanimous consent of the committee to insert a statement by Representative Biaggi for the record.

[The document referred to follows:]

STATEMENT OF HON. MARIO BIAGGI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ladies and Gentlemen: I think it is very fortunate we are holding these hearings today in New York City. This city has often been known as the melting pot of the nation, the place where the largest number of immigrants entered the country and began their process of Americanization.

We can look back on the great absorption of foreign born into American society with pride and satisfaction. We are today, as a result of that absorption, a society of many talents and many different cultural strains.

However, we cannot close the book on this chapter in our history. For today, from a more sophisticated standpoint than in past years, we knew that certain kinds of hardship went with the process of Americanization—and that some of that hardship still exists today.

That is why we are having these hearings. For we know that many children in this city and around the country are going to school in the early grades and not understanding the language of the classroom because another language is spoken at home. And we know that in the more specialized and competitive America of the 1970's a child who cannot speak the language of the classroom cannot learn to read, to spell, to write and, ultimately, to make his way in the larger world around him.

This situation cannot be permitted to continue. The fact that we are holding hearings today reaffirms our commitment to help children with the language problems which hold them back.

But this is not a new commitment. The Congress made this commitment seven years ago, in 1967, when it passed the Bi-Lingual Education Act. The

Congress made this commitment again this year when it proposed to renew Federal efforts in the bi-lingual area.

We cannot, however, be satisfied that Congress is on record on this problem and that it has authorized some money to attack it. For there is one, glaring, unforgiveable fault in the bi-lingual education effort today. It is, simply, that a large number of important language groups are being left out.

There are no programs for Italian-Americans funded by the Federal Government today anywhere in the country. There are no programs for Americans of Greek origin funded by the Federal Government today anywhere in the country. There are no programs for Russian or Polish Americans funded by the Federal Government today anywhere in the country.

I want to make plain here and now that it is my irrevocable determination that this situation be corrected. The Supreme Court of the United States has already made clear in its decision on Chinese Americans in *Lau* v. *Nichols* that every American child has an unqualified right to bi-lingual education assistance if he needs it. This is as it should be, and is only a repetition of what we in the Congress wrote into the law seven long years ago.

It is, in my judgment, the purpose of these hearings to demonstrate the fact that our children in New York are not getting the bi-lingual education they need. The Italians are not getting it, the Greeks are not getting it, the Russians are not getting it; in fact, every group is not getting what it should.

I also want to make abundantly clear that while Spanish-speaking Americans here in New York and elsewhere have been getting most of the money that is being spent on bi-lingual education, that I fully and warmly support their assertion that their community is not being served in full proportion to the need, or anything near it.

So I welcome the witnesses here today and urge them to come forth fully with their problems and frustrations regarding the bi-lingual program. You will find that we are prepared to listen, and—more important—to act. Thank you.

Mrs. CHISHOLM. Our first witnesses are Dr. Schain, the principal of George Wingate High School in Brooklyn and Dr. Robert Leder, assistant principal and supervisor of foreign languages, also of George Wingate High School.

We want to acknowledge the fact that these students and Dr. Schain come from a high school in the Crown Heights section of Brooklyn where they have a number of Haitian students. We recognize that today in New York we have approximately 100,000 French-speaking youngsters; 45,000 in Manhattan, 30,000 in Queens and although there is much discussion around other groups, we have to recognize that the Haitians are the latest group of persons coming to this country who need a great deal of help with respect to bilingual education.

There is a direct relationship between the educational achievements of the youngsters and the inability to handle the English language. Therefore, we call on Dr. Schain and Dr. Leder to testify this morning in terms of what they have been doing in the specific community from which these two youngsters come.

Welcome to the committee. Without objection, your complete statement will be included in the record.

[The statement referred to follows:]

STATEMENT OF DR. ROBERT L. SCHAIN, PRINCIPAL, GEORGE W. WINGATE HIGH SCHOOL, BROOKLYN, N.Y.

It is undoubtedly true that there is a great need for an extension of bilingual education in the United States. It is equally true that this need has not be adequately met in the past. With a potential student population of more than five million to be reached, we have only scratched the surface in reaching less than five percent of this number.

New York City is an area of high concentration of students who may be considered bilingual. These students enter our public schools with varying degrees of ability to speak, read, or write English. Some students from other countries entering our schools are also illiterate in their native language. This language barrier poses a most difficult problem—probably the most serious problem a person faces who migrates to another country whose language differs from his own. Picture yourselves transported to a country whose language is strange to you. Imaging the basic problems in communication that would exist for you. Not only would you find yourselves unable to communicate with others and thus unable to really earn a living or to adequate satisfy your basic needs, but you would probably find yourselves alienated to the new land. All kinds of negative results would probably develop to your own detriment and happiness and to the detriment and the welfare of the new land. This, I submit, has been the result of the failure of our government to fund adequately the necessary programs in the area of bilingual education. The federal government has in the past few years funded bilingual education programs under Title VII on a relatively small scale—small in terms of the actual needs in this area. Now, we are told, the current administration wants to place the burden of financing bilingual programs on the states and the localities. This, I submit, is intolerable. First, the recent Lau decision has placed bilingual education in the same category as the Brown vs the Board of Education of Topeka did in segregated education. Thus, it is now an established constitutional obligation to provide bilingual education to those in need of it. Secondly, to place the financial burden on states and localities would wreak havoc with the program. Both states and localities continually cry that they are short of funds. Also, minorities, such as Haitians, have little political "clout" at the local levels and generally would lose out in the scramble for the limited fiscal resources at state or local levels. Thus, it is necessary for the federal government to provide the funding for bilingual education.

I am the principal of a large inner-city high school with an almost all-black student population. Approximately fifteen percent of our student body of approximately 3,500 students are foreign born. Most of this foreign-born group are Haitians. They enter our public schools with little, if any, skills in English. They feel strange in a new country and a large city. The language barrier tends to produce alienation, hostility, negativism, school drop-out, and other such results. From the view of an educator, I can say that it is useless to try to thrust these students into a high school program without a concentrated program designed to develop skills in English as quickly as possible. This requires specially trained teachers, special materials, special guidance facilities, specially trained paraprofessionals, small classes, and ongoing evaluation. The foregoing requirements mean, among other things, more money.

We at Wingate High School have lived with such a situation for several years. We have used the funds provided under Title VII. We have also used New York City tax levy funds for our bilingual programs when federal monies were short of our needs. However, by doing so, we were "penalizing" the rest of our student body by draining some of the resources from our "regular" programs. We continued to develop our bilingual program despite shortages of funds because our students needed the program desperately. We wanted to develop better human relations between mainland students and island students; we wanted to help the newly arrived students adjust to our city, school, and society; we wanted to help these students maintain pride in their own native cultures and language; and we wanted to use the resources of these students to help make George W. Wingate High School a better school. Before 1970, our school had been a troubled school for several years. We now wanted to develop positive programs and, hopefully, produce positive results.

As Principal, I can say, proudly, that Wingate High School has become one of the outstanding high schools in the city. Our record can give lie to any allegation that a minority high school cannot be a fine high school. I invite all members of this committee to visit our school and see how we function. There are many reasons for this great improvement in our school. Not the least is the fact that we have developed a fine bilingual program. This program provides a number services to our foreign-born students—most of whom are Haitians. For those with *no* ability to speak, read, or write English, we have the Wingate English Academy in an off-site facility. This Academy, based on the Israeli Ulpan system, trains students in English by a total immersion in English for five hours a day by specially trained bilingual teachers and paraprofessionals. It is unique in this country, and, judging from results thus far (after almost one semester of operation) is an outstanding success which should be replicated in other places. I have rarely seen students so eager to learn as in our English Academy. Materials of instruction are largely teacher-made, with other hardware and software to help develop skills in English. At present, the Academy can accommodate 80 students, and we are at capacity now. For foreign-born students who have some degree of skill in English, our bilingual program includes academic classes taught in French, (e.g., Biology, Mathematics, Typing, and History), ESL classes (in which students learn English each day for a limited time), and French classes for Haitains (which help these students maintain their native language skills and maintain respect and love for their native culture). Finally, our curricular offerings provide for those students who are illiterate in their own native French language. I might note that we have several extra-curricular activities, e.g., a Haitian Club, a club for Hispanic students, assembly programs conducted by foreign-born students, trips to places of interest in New York City, walking tours around the community, etc. All teachers in the program are bilingual.

What has been the result of our bilingual program? The hard and soft data we have thus far (and other data we are working on now) have been examined and new data will be examined. Results have been amazingly positive. Attendance is almost 100% in the bilingual program. There is hardly any absence in the program—especially in the English Academy. We have had only one drop-out thus far. Student attitudes are very positive, they are functioning much better than before, there are few fights or other confrontations with native Americans, and they are extremely eager to learn.

An additional facet of the program has been the involvement of the parents. We have held evening meetings with Haitian parents in their own community. Many have attended P.T.A. meetings at the school. We have held several shows for Haitain parents, and we have maintained an "open door" policy for parents to visit the English Academy at will.

Not only are the students and their parents happy with the program, but the teachers are extremely enthusiastic also. Each teacher is specially trained as a bilingual teacher and each has volunteered to serve in the program. It is an example of dedicated teachers—an example that the public should be made aware of more frequently.

In summary, I ask that this distinguished committee recommend that bilingual education be given top priority in the education legislation now pending in the House of Representatives. Ours is a multi-ethnic heritage and society. The Supreme Court has confirmed what many of us have believed for many years—that it is the constitutional right of every student to be provided with bilingual education. We urge that this committee support whatever funding is necessary to make our "new" Americans positive-thinking, well-adjusted, functioning Americans in a friendly and receptive atmosphere. Our schools are our first lines of contact with our "new" young Americans. Help us to help them help America become even greater.

STATEMENT OF DR. ROBERT SCHAIN, PRINCIPAL, GEORGE WINGATE HIGH SCHOOL, BROOKLYN, N.Y.; AND DR. ROBERT LEDER, ASSISTANT PRINCIPAL AND SUPERVISOR OF FOREIGN LANGUAGES, ACCOMPANIED BY JEAN-JACQUES BOYER AND YVES CONDE STUDENTS, GEORGE WINGATE HIGH SCHOOL

Dr. SCHAIN. Thank you, Mrs. Chisholm, and members of the committee.

I think we all agree on the need for the programs. We all agree on the problems that youngsters face when they enter the United States where the language barrier is so potent that all other problems really fade.

I think all we have to do is try to place ourselves in a similar situation, if we were suddenly to migrate to Russia or to China or to

Egypt and try to adapt to their way of life. Our inability to communicate would be so great, problems would be so many that everything else would just fade.

What we are doing then is asking youngsters of school age to come into the schools with that kind of barrier. It is just impossible. Not only do they suffer academically where they can't learn or communicate but other factors come in; alienation, hostility, dropouts, perhaps even dislike of your newly adopted country.

This, I submit, is intolerant. We at Wingate have a large Haitian community, and, I might add, a growing Spanish-speaking community since we are getting many youngsters now from Santo Domingo and northern countries in South America.

We did something about it, not only with a regular bilingual program, but we adopted something quite new to the United States. We started it this term, borrowing perhaps from the philosophy of the Israeli "ulpan," we have assembled entering youngsters from Haiti or Spanish-speaking areas and we enroll them at our offsite facility, which we call the Wingate English Academy.

At that facility we have specially trained teachers and the youngsters are exposed to 5 hours of English per day, a complete and total immersion. We start from perhaps survival English and we work up to functional English.

We also maintain, as we pointed out, the very important aspect of such an important program; that is, the cultural identity of the youngster because, after all, the United States is a culturally diverse area and we certainly want that part of our program.

This English academy is only a recent addition and already it has proven itself tremendously. I will speak about that in a moment. But the bilingual program at Wingate, especially for French-speaking students, goes much further than that.

In our main building we have academic classes taught in French. We have classes in typing taught in French, and also history, math, and science. We have ESL classes where youngsters study English for those periods each day.

We have extracurriculur activities where youngsters maintain their cultural identity and share it with others. All these perhaps are not only peculiar to Wingate, although I think the English academy certainly should be replicated elsewhere in the country.

Our results are amazing and we will have more soon. I think what you folks on the committee are perhaps concerned with, which ought to be in the record, is whether or not such programs have value. What is the bottom of the line?

There are some specifics we can point to; attendancewise, amazing. We have almost 100 percent attendance and in the English academy, where the two students here attend, there is just about nobody absent at all, ever.

Dropouts in the entire program; one. Now, ladies and gentlemen, these figures alone—you know what the dropout rates are; you know what the attendance figures are citywide. We have a minority school. You know what the supposed canards are about minority schools. We have disproven that.

And one of the ways we have disproven it is by providing the kind of bilingual program that many of our youngsters need. How else have we at least justified the bilingual program and student attitudes?

Several years ago there were many fights between Haitian youngsters and mainland youngsters. They virtually don't exist. And it was a gang matter years ago. No longer. Students, as perhaps these students, who haven't been coached, will testify, feel differently about the school, about their neighbors, about the city and about the country.

The teachers are the kind that we read about and hope that we get someday in schools. Dedicated is an overused word but these teachers work, produce materials. They are interested and the youngsters know it.

The outcomes, in other words are amazingly good. We are preparing a program of formal evaluation which we will have by the end of June. But already, it is unusually good and so, what we feel we would like to make, as an appeal to the committee, is that the committee support whatever funding is necessary to make our new Americans positive thinking, well-adjusted, functioning Americans in a friendly receptive atmosphere.

Let's remember that our schools are our first lines of contact with our new Americans. Help us to help them help America become even greater.

Thank you.

Mrs. CHISHOLM. Thank you very much.

Mr. Leder.

Mr. LEDER. Dr. Schain just touched all bases. I might add the parental involvement has been extremely good. We have an open-door policy specifically in our English academy. Parents are encouraged to visit us. In fact, at the end of the day teachers have remained and have given sort of mini classes to some of our French- and Spanish-speaking parents, so the input there has also been a positive one.

Mrs. CHISHOLM. Thank you very much. Now we would like to hear from the two young men themselves.

Identify yourself by name and then, in your own words, tell what has been the effect and what you really feel about the program.

Mr. BOYER. I am a student of the English academy.

Mrs. CHISHOLM. What is your name?

Mr. BOYER. Jean-Jacques Boyer. I am happy to be here with you.

Mrs. CHISHOLM. What was it like when you first came to this country and you tried to get yourself together?

Mr. BOYER. I came from Haiti. I learned English and I speak it really good. I don't have 1 year yet in the United States.

Mrs. CHISHOLM. You are doing quite well if you don't have 1 year and you are able to express yourself. You are doing quite well.

What was your feeling when you went to school the first time?

Mr. BOYER. I am happy.

Mrs. CHISHOLM. You are happy now in the school. Why are you happy?

Mr. BOYER. Because I am in the English academy. I like my teachers.

Mrs. CHISHOLM. Thank you, Jean.

Perhaps we will ask the other young man to give us a few words. But let me say this to both of you. Do not be timid of speaking out.

Lots of us have been here for a long time and still can't handle the language.

Mr. CONDE. I like to speak English so much. It is a new language I learn. I am very happy to learn English in my school. I am very glad to be here today. It is for the first time. I don't speak English very well. When I talk to somebody they can understand what I say.

Mrs. CHISHOLM. How long have you been here from Haiti?

Mr. CONDE. I have only 6 months. I don't learn English in my country, but when I come here I pass only 1 week at home after I go to Wingate. I have many sisters and brothers. Wingate Academy learned me very well to speak, but when I am in my country I don't speak English. I learned very little.

I remember exactly the day when I come here because my father is here and my mother and my sister. They speak English and I would like to speak English very well.

Mr. BIAGGI. How long has the English academy been in existence?

Dr. SCHAIN. We opened the doors in February 1, 1974, after a term of planning. It took us about 4 or 5 months to plan the operation before we could start.

Mr. BIAGGI. You are not in a position to give us a substantial evaluation?

Dr. SCHAIN. In the remarks I opened with I tried to indicate that we have some hard data, for example, on attendance figures and dropouts which are significant. We also have some soft data in terms of attitudes of students that we detect and they express that the teachers report.

If you would like I will ask Mr. Leder to address himself to the specific forms of evaluation we are now setting up for the end of the term that will give us more hard data.

Mr. BIAGGI. What is the program specifically in the academy?

Mr. LEDER. We offer the youngsters a full program. The program consists of four classes of English daily, total immersion in English. We offer them a class in their native language and felt that would obviously be very important to them, not to lose the sense of values, their fluency and identity with their language.

We offer them classes in art, again, to further help them in terms of expression. We also offer them a class in physical education. So it is a full program daily. There is much enrichment as well.

We have exposed the youngsters to the city at large. We have taken them out on numerous trips. We have taken them to the Statue of Liberty, the Museum of Natural History. We have taken them on walking tours of the supermarkets and to the bank and into the area.

Each youngster has his own library card to visit the library three or four times a month. They take a book out. They bring it back. The spend time there with the librarian who puts on special programs for the youngters.

Mr. BADILLO. I am interested in your needs for the future. Have you made any projections?

Dr. SCHAIN. I am glad you asked that question. We are growing in terms of our foreign-born population. Not only are we getting more Haitian students, in, because this is a center for the Haitian community, but, as I indicated, we are getting a lot of Spanish-speaking students from the northern countries of South American and some of the Spanish-speaking islands, not Puerto Rico, interestingly.

So we are projecting a great deal. Right now the academy is bulging. We can't take any more. We had, and I say "had" in quotes, a site all picked out and all set at the board of education calendar that would provide for approximately 400 or 500 students where we were going to move the whole bilingual program and really expand it and make it boroughwide, if necessary.

I might add, for purposes that are perhaps not the concern of this committee, it was withdrawn. The resolution was withdrawn at the board of education last week and we are quite angry about it.

If we don't get additional facilities it is going to cripple not only the bilingual program at Wingate but particularly the academy.

Mr. PEYSER. Dr. Schain, one thing you said that is not a direct part of your program but certainly interested me because without this type of involvement it takes a great deal longer and perhaps will never succeed.

You mentioned the parents, that there are some efforts on the part of the teachers occasionally to work with the parents of these students. I gather most of the parents are not English-speaking or fluent English-speaking; is that correct?

Dr. SCHAIN. That is correct. As Mr. Biaggi mentioned earlier, our plans initially involved afternoon classes for the parents of the youngsters so that they would work together. The funding for that never came so that we couldn't supply that.

However, we have worked with the parents in other ways. By the way, before we initiated the actual academy itself, we met with the parents of the Haitian youngsters in their community during the evening. We planned with them and had them involved in the operation in terms of their being alerted to what is coming, how it is going to be used, what their role is and we conducted programs for the parents, which Mr. Leder can speak more specifically on, whether it is shows, cultural programs or things of this sort.

Mr. PEYSER. Do you have anything in the making like a formalized adult education in the evenings because we assume many of these people certainly work and getting off in an afternoon is impossible?

Is there anything that is constructive in curriculum form because if the funds aren't there it seems to me this is an area we ought to direct ourselves to?

Dr. SCHAIN. Our initial thrust was that the parental involvement would be necessary. If you are going to have a home where a fine young fellow is learning English and the parents do not know English, it will make it more difficult for both to learn English.

In other words, we are not buying the idea that you learn English as you grow but people learn better when they are taught in a concentrated way. It is perhaps the philosophy of the old Army program where you learned a language darn quickly and the philosophy of the Israeli "opan" where whole families are housed together learning Hebrew in Israel, and that is what we believe.

Mr. **Peyser**. I concur with what you are saying completely. I think this is where we ought to be going. But what I am interested in knowing is has anybody as yet constructed a curriculum for a type of program that we could, in effect, have and say, "This is a program"?

Dr. **Schain**. We had it on the boards and it was ready to go in February. We had to phase it out because we were told, "No money."

Mr. **Peyser**. I would just like to suggest if the committee has that, fine; if not, I would like to see a copy of that curriculum because I think this is something we really should address ourselves to.

Mr. **Leder**. There are programs in ESL in many schools in our area. We had plans afoot to prepare a program for our parents, but there are programs in adult education in the area as well.

Dr. **Schain**. I think Mr. Peyser is referring to the kind of program the academy runs. We have that program for the parents, if we can get the funding. We will have it for you.

Mrs. **Chisholm**. You mentioned something in your testimony to the effect that the relationships between the young people in the community, principally the children that came from Haiti, and those who had resided in the community for some time, had improved.

I further gather from you that perhaps one of the reasons why relationships have improved was due to the fact there was the development of a curriculum or program that met specific needs of the newcomers to the community so they would be able to get a little more secure in their own egos and begin to feel a part of things.

If this is so, would you feel that we need develop in our universities and colleges specific teacher training programs for teachers to be able to handle youngsters that have language difficulties, regardless of what particular country they have come from? Is there a need for specific teacher training programs?

Dr. **Schain**. The greatest manager can't earn a penny without horses. You can't teach well unless you have fine teachers. Fine teachers may be born but they also must be trained.

I certainly concur, Mrs. Chisholm, that one of the essentials of such a program would have to be provision for teacher training for such programs as this, special training.

Mrs. **Chisholm**. Is there a valid argument that bilingual education should be taught by people who are born in the country from which the students come, because they would be more acquainted with the folklore, the culture, and the language? Is there a valid argument in that statement?

Dr. **Schain**. The way you put the question, Mrs. Chisholm, the answer would have to be yes. There is a valid argument for almost any point of view. I would say it is not a necessary factor.

All things being equal, it would be more helpful if a teacher were of such origin.

Of the staff we have at the academy, how many people would you say are from Haiti themselves?

Mr. **Leder**. Teaching staff?

Dr. **Schain**. Teaching staff, not paraprofessional. The paraprofessionals we have staffed largely from the Haitian community, but the teaching staff need not be. However, in the special teacher training program those teachers have to be extremely fluent in French and speak French as natives do. But the essential thrust here is English and if you emphasize French you are going to defeat the purpose.

Mrs. CHISHOLM. Would you go so far as to say that there is definitely a relationship with respect to discipline problems in many schools of the city of New York, as a result of the misunderstanding of the cultures of many of these youngsters and their inability to function in classrooms, and perhaps the teachers have not been trained enough in order to relate to these specific questions?

Dr. SCHAIN. Mrs. Chisholm, I can't presume to speak for other schools in the city. I can only relate our own experience. When I took over as principal of Wingate High School in June of 1970, it was one of the most difficult schools in the city to administer.

I am sure you remember. Part of the reason for that, in addition to other factors in the city, was that we had a growing body of Haitian students particularly and Jamaican students who were completely alienated from the mainland youngsters.

It wasn't even black-white because it was black-black. The mainlanders would refer to them as the "foreigners," and they want the foreigners back where they belong. We had innumerable battles between mainlanders and islanders.

It doesn't exist any longer. That doesn't mean that individually, once in a whole, two youngsters aren't going to get into a fight. They do. But it is no longer my group against yours, and if it ever becomes something like that the groups have communication with each other through our office, through Mr. Leder, where it is completely defused.

I think perhaps the students might be able to relate to that a little more, but I can say in our experience, your question is absolutely correct in terms of the affirmative. If schools would provide for the needs of youngsters who come from foreign lands, who cannot speak English, who are culturally foreign to our country, if we provide for those needs and provide for their cultural pluralistic needs, I think you would have better schools, fewer discipline problems, fewer truancy problems, fewer absences, fewer cutting problems, and fewer disruptions.

Mrs. CHISHOLM. Thank you very much.

Now we are going to ask Mr. Mario Raimo of the United Federation of Teachers of the Bronx to come forward.

STATEMENT OF MARIO RAIMO, UNITED FEDERATION OF TEACHERS BRONX, N.Y.; AND ABE LEVINE, UFT, VICE-PRESIDENT ELEMENTARY SCHOOLS

Mr. RAIMO. Congresswoman Chisholm, Abe Levine of the United Federation of Teachers will speak first.

Mr. LEVINE. Madam Chairman, the United Federation of Teachers has consistently supported programs in bilingual education, including the bilingual teacher in school and community relations program.

We believe that bilingual programs provide an important educational service for non-English-speaking children. Bilingual education helps pupils progress in their school subjects while they learn the English language and acclimate themselves to the school situation.

Beyond that, we believe that cultural pride and dignity is enhanced by encouraging a child to remain fluent in his native language. Bilingual programs contribute toward this desirable objective.

While bilingual education therefore serves an important function, we must point out, however, that there are dangers in bilingual programs as presently constituted.

Currently, the New York City Board of Education requires a separate license for teaching in bilingual programs. We oppose this policy for the following reasons.

First, the separate bilingual license examination does not require the same standard of competency in subject matter and the English language as required by the regular license examination.

Second, the separate license jeopardizes the careers of bilingual teachers. If a teacher is qualified solely as a bilingual instructor, he will lose his employment if a bilingual program is abandoned because of lack of funding.

Furthermore, local school districts in some instances employ bilingual teachers on a nonmerit basis. On the basis of a certificate of competency, these nonmerit appointments are open to various kinds of abuse.

One is political patronage. People have been appointed to positions in bilingual education because they are supporters of the community superintendent, as is the case in district 1.

A second abuse is ethnic discrimination. In some bilingual programs for Spanish-speaking children, for example it is very difficult for Cuban Americans to find a job; preference is given to other individuals of Puerto Rican background.

For all these reasons, UFT advocates the abolition of the separate bilingual license and nonmerit appointments of bilingual teachers. We urge that teachers in bilingual programs qualify for their teaching positions on the basis of receiving a regular license, and an ancillary certificate.

The ancillary certification would be granted to candidates demonstrating fluency in a second language. Thus, educational standards would be maintained and bilingual education promoted.

Separate licensing is not, however, the UFT's sole objection to the board of education's bilingual policies. We are also disappointed that the board has not adopted a longstanding UFT recommendation that an intensive language training program be established to prepare currently employed licensed teachers to work in bilingual programs.

It is our conviction that a language training program would relieve the inadequate supply of qualified bilingual teachers, and that it would also gurantee non-English-speaking children a quality education in all their subjects.

As Albert Shanker, UFT president, observed in one of his Sunday New York Times columns, nearly 2 years ago, "Bilingual education must be expanded—but with the maintenance of high standards, the guarantee of job security to all teachers—and a total rejection of ethnic separation."

That was the position of the United Federation of Teachers then; and that is the policy of the United Federation of Teachers now.

Thank you very much.

Mrs. CHISHOLM. Mr. Peyser.

Mr. PEYSER. I welcome the United Federation of Teachers presence here at this point because I think they play a key role in any education program, certainly those in this city.

I am particularly interested in the statement dealing with the problems in the bilingual program because I think that this is really getting right to the heart of the matter. It has got to be faced by the city and certainly concerns us on this education committee.

The question I would like to ask of either one of you gentlemen is: With the problems you point out on the separate licensing of a bilingual teacher, do you find that this method could possibly give the student not as good an education as he would get under the circumstances you are calling for?

In other words, do you feel the student is affected by this?

Mr. LEVINE. The answer is yes, Congressman Peyser. The establishment of a separate license sets up a dual standard and we believe that standard for the separate license is not as high as the standard for the regular license.

Because we have this very, very strong feeling about the maintenance of educational standards for all pupils, that all pupils have a right to receive high quality education, we have been strongly insistent that the separate license be abolished and the board of education see to it that all teachers, regardless of what program the teacher may be teaching in, go through the regular examination and demonstrate fluency in a second language.

Mr. BIAGGI. You said you believe, in response to Congressman Peyser's question, that the standards are dual standards that are not on a par. On what do you base that belief?

Mr. LEVINE. We base that belief on the knowledge of the examination that is given and in terms of what it is that is happening in the classrooms in regard to the competency of teachers who take the separate license examination in terms of the competency in the English language, and also, we question the competency in terms of the subject matter.

As long as there is a separate license examination there have to be very, very serious doubts that standards would be maintained. If the board of education is interested in maintaining the educational standards, which it should be insisting upon, then it should see to it that there be one examination for all teachers.

We should not be establishing a separate examination.

Mr. RAIMO. We certainly stress the desirability of bilingual education and have heard the testimony that has been given previously about the variety of the language problems throughout the city in different communities, and also the fact that there are a number of languages.

For example, in the Bronx it ranges from Japanese in one area, Haitian in another, Albanian in another, Italian in another, Spanish in another, and so on. What we are saying here is it would not conform to the intent of what bilingual education programs are supposed to do if the only requirement for a teacher is that he have the knowledge of the other language; that is, the language that is not the base language of the school system.

If that is the case, how does our teacher teach arithmetic, how does that teacher teach science, how does that teacher teach English for that matter? Our concern is that bilingual means just that, that the word "bi" is part of the concept and that if you are saying a person who is fluent in his language and that is the basis by which he is licensed to teach science, math, social studies, English, and every other subject, we are concerned and this is a very real concern the Congress should have, that bilingual programs should not, in the next few years, deteriorate or evolve in the direction of creating a kind of segregated second-class kind of education structure.

We have had that in this country before. We are saying the qualification to teach in a segregated school in the south is that you be black, and in order to be principal in that school, to be black, and to attend that school you be black, and that is the only school you will go to and you will not have an opportunity to have any other kind of education experience.

If the criteria in the bilingual program is that the person speak Japanese but not have all the other competent training that those children require, we are concerned that it will not be a bilingual program. We are concerned that the work will go out.

By the way, it won't take very long for the communities to realize this. There is a tremendous discrepancy in the quality of the bilingual programs that exist now. Again, I can tell you from my experiences in the Bronx which programs are functioning well and which the parents pull their children out of.

The parents in the community know which programs are not working. What they want for their children is that the bilingual teacher provide the tool for that child's education in the future, for social and economic mobility in the future, and not that his child be segregated to the side and say he is bilingual, therefore he will have a bilingual teacher, but will he learn the math, science, social studies and the English?

That is what we are talking about.

Mr. PEYSER. I thank the gentlemen for their testimony. In closing, I would like to say the battle for bilingual education in Congress was started long before I got there. While I am an active supporter now and enthusiastic for its growth, I think one of the worst things that could happen would be to see bilingual education turn into a political device and turn into a brand of patronage. I think this would have an extremely negative impact on the Congress in oversight hearings if this would develop.

I personally feel a teacher is a teacher regardless of what language they speak. They should be fully qualified in every respect because, other than that, we are shortchanging the students who most need the help.

Just speaking the language obviously is not enough. It is an essential, but if that is all there was to it it would be a very poor program.

I thank the gentlemen very much for their testimony.

Mr. Badillo. Madam Chairman, I think the testimony here is extraordinary, that a person can be a bilingual teacher in Japanese and not have other qualifications. I have never seen or heard of such a requirement anywhere in New York City.

I think it is a very serious issue of fact. I would like to request the director of the bilingual division of the board of education, Mr. La Fontaine, who is in the audience, and was the principal of the first bilingual school, come up at this time because it is very difficult to ask questions unless we can find out what are the facts.

Is there such a requirement, that a person can teach Japanese without having any other qualifications?

Mr. La Fontaine. I am afraid the testimony today, in my opinion, is completely distorted. There is no license whatsoever that allows for any bilingual teacher to perform their duties without being qualified. That is precisely what the certification process is about.

It is not intended to say the person who speaks Spanish automatically gets a license. These licenses are in specific areas. They have bilingual licenses in common branches just as there is in the English bilingual licenses in early childhood, mathematics, science, et cetera, so that the person has been approved and certified by the board of examiners.

They are just as fully certified as someone who has the regular bilingual license. As a matter of fact, that has taken a considerable amount of work and effort to attain because apparently UFT does not approve of that particular procedure.

In fact, it was Mr. Levine's testimony this morning where he is implying that perhaps an alternative group would be an ancillary certificate. If anybody is proposing a reduction of standards, that proposition is a reduction of standards right there.

We are not in favor of an ancillary certificate. We are saying the person should be fully cerified and we have worked toward that. We have received at least these licenses which exist now so that a person who is teaching with a regular license has gone through an examination, is fully certified, and has the same standards of competency as those that have the regular licenses.

I might point out also that these people who take this exam have to take it in both languages. That is to say, they have to demonstrate their ability in both English and whatever the other language happens to be; let us say, Spanish.

They must also demonstrate their competency in the subject area, so that I certainly do not agree with what was presented a little while ago by Mr. Levine and Mr. Raimo in terms of dual standards, or rduction of standards, or anything of that nature.

Mr. Badillo. Madam Chairman, I think it is clear there is a division of opinion between the board of education and the UFT in terms of the licensing requirements. We, of course, are concerned about bilingual education.

I would suggest we proceed on the question of the need for bilingual education and we will be glad to work with you individually on what we do once we get the money into the city of New York.

But, I think what we are trying to resolve here is not the question of the requirements for licensing but whether or not there is support for the concept of bilingual-bicultural education.

Mr. RAIMO. Mr. La Fontaine, I say now since he is here, I visited his school and the program he set up in the South Bronx. It is one of the programs I was talking about before. There is no question about that.

I think what Mr. La Fontaine has also described is what he would like the situation to be in the future, but certificates of competency are not the same thing as regular license exams.

All we are saying is, the difference of interpretation is our concern as to where bilingual education could go or possibly may go. We hope our cautions on this will provide the kind of bilingual programs that will be of educational benefit.

There is no difference of opinion concerning the concept of bilingual education as a tool for further educational development, but the question of interpretation as to what is being done at the present time, and who is teaching in bilingual programs, it varies. There is no question about that.

What I said about Japanese I think you took out of context. What I was referring to is that the language requirement not be the only one. What Mr. La Fontaine is saying is that we will test in those competencies, we will issue a license in those competencies in order to deal with the criticism we are making.

Mr. LEVEINE. I think what should be pointed out, Congressman, is that if there is a real concern for the future of bilingual education, if there is a real concern, then we have to see to it that educational standards are maintained.

We don't want to provide any sort of inferior education for a group of bilingual students. Our position is an upgrading of the board of education's position. What we have been saying is that there should be single licensing. The licensing comes before the ancillary certificate.

There should be single licensing to guarantee a single standard of competency, and then on the basis of the individual's knowledge and fluency in a second language, an ancillary certificate would be granted, the individual going through a program examination.

Mr. BADILLO. There is a New York City license and a New York State license. What I am trying to point out is that I don't want to get into a discussion of whether we should have a Federal licensing requirement. I don't think you would want that.

This is not what we are trying to bring out here. We are trying to find out whether you do, in fact, support bilingual education because it is important in terms of continuing the funding.

That doesn't mean we solve all the problems, but the position we have taken in Congress is that the licensing requirements are matters for the States and localities to take up.

The reason I didn't want to get into this is because there are some Congressmen who may feel that perhaps we should take it away from the city and the State and set up a Federal licensing requirement. I don't think that is the position we should take.

Mr. Levine. We are in favor of bilingual education, as we have been saying over and over again, but I think there has to be a concern on the part of individuals who are interested in the future of bilingual education to see to it that educational standards are maintained.

Mr. Badillo. We cannot do that at a Federal level.

Mr. Levine. We are talking about the city licensing situation.

Mr. Biaggi. I am glad you support the bilingual program. I understand the differences and I won't belabor the point. What is important is that we exert all of our energies to the furtherance of the bilingual program. The details, differences and conflicts will be resolved, but you will have nothing to deal with unless the program receives meaningful appropriations.

That is where we are at. Let's not start gnawing at the tenderloin.

Mrs. Chisholm. Thank you very much. I would like to say that I think it is important that we do maintain educational standards, the espousal of equalitarian educational standards for all children regardless of their language background, their cultural background, their racial background.

I think we can all agree on that particular issue, but I think also it is very important for us to recognize in terms of the statistics and the facts pertaining to the schools in the city of New York in the past 10 years, this reference to number of dropout youngsters, with reference to the number of youngsters who could not receive an education that was understandable and meaningful to them because of the lack of the kinds of training on the part of the professionals to be attuned and sensitized to the specific needs of these particular youngsters that it is not nearly enough to belabor the academic standards alone.

It is just as important for many of us who tend to be rigid to recognize that we have to do something about the teacher training programs in order that teachers can be more responsive to the needs of lots of children in a city that is changing in terms of its complexion, in terms of the kind of public schools.

Everybody is interested in standards. The gentleman keeps speaking about employing bilingual teachers on a nonmerit basis who receive a regular license and ancilliary certificate. You must have standards. Everybody wants standards. I think we can agree on that.

But I think we have to look with an objective eye as to what has been happening to many of the Puerto Rican, Chinese, Haitian children that make up the large communities in this city and to find out if the dropout rate, the inability of the teachers to cope with these youngsters has something to do with the training of the teachers to be able to help these children in a meaningful way.

Therefore, if you are going to continue to talk about educational standards, let's also talk about educational standards and having the flexibility to come out publicly and say we have to restructure our teacher training programs so that the teachers will be able to be more sensitized and attuned and not be doctrinaire about it.

This is what is concerning me.

Mr. Levine. Congresswoman, we have been asking the board of education. We indicate this in our statement. We have been asking for an intensive language training program for licensed teachers because there are many teachers in our school system who would like to teach on a bilingual basis.

They are licensed individuals who have gone through an examination and would like to teach on a bilingual basis, and what is required here is to have a short intensive type of language training program along the lines of what the Army provided when there was a need to see to it that there were instructors in various languages available, individuals who could interpret in various languages.

So far, the board of education has refused and not gone along with our request. We made a request to the board of education on this because we believe there is a large need for qualified bilingual teachers.

The important thing here is to see to it that teachers who are qualified get the sort of training in the particular language so that they can teach on a bilingual basis. We have been asking the board about this and we will keep pressing. So far, nothing has been provided.

Mr. Raimo. Perhaps, Congresswoman Chisholm, also in planning in terms of having a program that isn't just a panacea that goes back and forth. I am sure you know, too, as former teacher that if you teach for 20 years, as I have, each year there is the answer to all the problems. They come and go and don't work.

We believe bilingual education is not like that. We believe it is a permanent reform, particularly for a city such as New York. There has to not just be looking at this program as it is going to work for this month or next month or a year from now.

I think perhaps what can be done is to look into this training component. We are thinking of bilingual education not as something that is going to be for 3 or 5 years and then we will go on to something else and come in with another theory.

You know this has been the case in education. Certainly it was one of the most devastating criticism that I heard made, this idea of one thing comes and one thing goes and we are not really talking about permanent reform.

I think if there is funding for bilingual education, as there has been in the last few years, one of the components in that kind of program should be training for both groups.

Those teachers who, for example, as in my own case, came from an Italian background and speak the language—I am a social science teacher—it is possible I would want to devote 2 or 3 years in the next few years to tooling up my skills.

I have listened to the language for a long, long time. Possibly a person whose main training was in a language needs training. We are talking about both groups now. What I am suggesting is if you are really serious about bilingual education as a permanent program, the training component both for those with a language emphasis and those with the subject area emphasis should be looked at.

It should be part of that kind of program.

Mrs. Chisholm. I would just like to say—I see the gentleman has to leave, but I would just like to say that I think all of us do agree that we always want to make sure we maintain the highest educational standards for all children in the city of New York.

I also think we should set a record, but it is very important for us not to be afraid to look at all kinds of curriculum because even outside the area of bilingual education there have been indications in the bilingual education system in New York that things haven't been going exactly the way we feel it should be going.

It is not a question of having a rigid doctrinaire kind of attitude. It is a question of looking at it objectively to make sure that whatever we do we maintain high standards at all times.

I am very convinced about this because I have had the opportunity to go into schools in the city of New York where the educational powers that be just couldn't control what is going on in that school because of the presence of a large number of children who did not understand what was going on.

Then, when they had bilingual personnel come into that school to help relate to the children, so many things happened because the children felt the relationship and a kind of ongoing attitude that said somebody cared and somebody understood.

All I am saying is that if you want high standards, look at the structuring if the kind of teacher training program that would be meaningful to every child who goes to school in the city of New York.

Mr. Badillo. Mr. Raimo, I mentioned at the beginning that I had sponsored certain specific amendments to the Bilingual Education Act. I am sure you are aware that one of the key amendments that I am sponsoring is changing the definition in order to provide that there shall be establishment, operation, and improvement of the training programs for personnel preparing to participate in, or personnel participating in the conduct of programs of bilingual education.

One of the problems is that the existing law does not specifically provide that the teachers shall be trained before they get to be teachers in the schools. That is what it means when it says "preparing to participate in".

And, the statute does not specify that they be trained after they recieve their license. That is what it means by "personnel participating in". So, if you support that, then you support the amendments we are trying to get into the act.

Mr. Levine. Do you mean that the training will be provided only those individuals in the program or that other teachers in the school system would have the opportunity?

Mr. Badillo. Whether they are teachers or are going to be teachers.

Mr. Levine. Thank you.

Mrs. Chisholm. Thank you very much.

Our next witness is Mr. Stephen Aiello, special assistant to the president of the board of education.

STATEMENT OF STEPHEN R. AIELLO, SPECIAL ASSISTANT TO THE PRESIDENT, BOARD OF EDUCATION, BROOKLYN, N.Y.

Mr. Aiello. Congresswoman Chisholm, Congressmen Biaggi, and Badillo, for the sake of brevity and not to be redundant, I just want to read a portion of the statement and I request that my entire statements be submitted for the record.

Mrs. CHISHOLM. The statement will be inserted in the record in full.
[The document referred to follows:]

PREPARED STATEMENT BY STEPHEN R. AIELLO, SPECIAL ASSISTANT TO THE PRESIDENT, BOARD OF EDUCATION, BROOKLYN, N.Y.

In a position paper entitled, "Bilingual Education, June 1973, the New York State Board of Regents described the plight of the non-English speaking student this way:"

"Differences in language and culture effectively exclude approximately 300,000 children from meaningful participation in our educational system. Failure of schools to respond to the educational needs of these children results in academic failure, demonstrated sequentially by low reading scores, high dropout rate, and barriers to entry into meaningful employment." The paper calls for the "total involvement of our educational system" to help the non-English speaker become all that he is capable of becoming.

The Regents point out that a fundamental tenet of bilingual education is that a person living in a society whose language and culture differ from his own must be equipped to participate meaningfully in the mainstream of that society. "It should not be necessary for him to sacrifice his rich native language and culture to achieve such participation."

Of the estimated 300,000 non-English speaking students in the State, the majority speak Spanish and live in the five big cities—New York, Buffalo, Rochester, Syracuse, and Yonkers. However, other language groups in the total include Chinese, Italian, French, German, Arabic, and Portuguese. Furthermore, large numbers of these students also attend schools on Long Island and in several upstate communities.

I testify before you today as an advocate for Bilingual Education for all of the children who need and benefit from these programs; but especially for the Italo-American child whose bilingual needs have been shockingly neglected by the Federal Government.

Italians in the United States constitute numerically, culturally and politically, an important minority group, second only to the Spanish speaking communities (whose number has grown since the recent influx of Spanish speaking persons in New York). Smaller in size than any one of our western states, Italy has contributed a larger number of immigrants to America than any other country in the world with the single exception of Germany.

The Center for Migration Studies reports that approximately 25,000 Italians enter our country every year. A third of all new Italian arrivals settle in New York City. Therefore, it seems reasonable to assume that the number of Italian dominant children who enter New York City schools is approximately 2,000 a year. Since it takes two to three years for a child to learn sufficient English in order to function adequately in a total English program, the number of Italian children who have difficulty with the English language in New York City alone ranges from 5,000 to 6,000. The annual survey of pupils who have difficulty with the English language conducted by the Office of Educational Program Research and Statistics reflects a steady increase of Italian dominant children in the city schools since 1970.

Despite the fact that these Italian dominant children represent the third largest group of children with English difficulty, no Bilingual programs had been available to them in New York City until a year ago. The first Italian Bilingual classes to be instituted in the New York City schools began in February of 1973. These classes were made possible by the allocation of $1 million dollars of tax levy money for Bilingual programs. As a result of these funds, three districts in New York City, namely Districts 11, 20 and 21, introduced Italian Bilingual classes. The Italian Bilingual classes were increased as a result of a greater commitment of tax levy money for Bilingual programs during the current school year. Nevertheless, only 603 children are serviced out of a total of over 5,000 students.

While the New York City Board of Education is to be commended for their initiative in introducing Italian Bilingual Programs, the Federal Government has shown indifference and even callousness in this area. Even under the $35,130,000. provided by the Bilingual Act (Title VII), there is *no* Italian Bilingual program being funded in the entire United States.

I have been informed by the Office of Bilingual Education of the Board of Education that there will be approximately $60,000,000. provided under Title

VII for bilingual education in 1974–75. I strongly urge that a portion of those funds be used to meet the need of Italian speaking students in the public schools. The use of a portion of these funds becomes imperative when one realizes that there is no Italian bilingual program being funded under any other source, such as ESAA, Title I, Title II, State Urban or Chapter 720 of the New York State Laws. The inequity to the Italian population is quite obvious when one considers these facts. A great need exists in the area of Italian bilingual education, not only in terms of teaching personnel but also in the areas of supervision, curriculum development, relevant materials and teacher training at the college level.

Presently five districts have submitted Title VII ESAA Proposals that include Italian programs: they are Districts 11, 20, 21, 30 and 32. I would strongly urge that these proposals be funded. I am not suggesting that we eliminate programs from other groups to benefit this group. I do suggest that more funds be allocated by the Congress to properly meet the needs of all of our Bilingual children.

The Department of Health, Education and Welfare has practiced a blatent discrimination in the past against certain ethnic groups including Italians in the funding of federal bilingual programs. It is my hope that this Committee and the Congress will see to it that this discrimination is ended.

Mr. AIELLO. Just to reinforce what the Congresspersons have been saying, I would like to deviate somewhat from my original starting point to just read a section of a position paper that was submitted by the State Board of Regents back in June 1973 in reference to bilingual education.

I want to say that I fully endorse the statement and I believe the present action of the present Board of Education also endorses this statement.

> Differences in language and culture effectively exclude approximately 300,000 children from meaningful participation in our educational system. Failure of schools to respond to the educational needs of these children results in academic failure, demonstrated sequentially by low reading scores, high dropout rate, and barriers to entry into meaningful employment.

The paper calls for the "total involvement of our educational system" to help the non-English speaker become all that he or she is capable of becoming.

The regents point out that a fundamental tenet of bilingual education is that a person living in a society whose language and culture differ from his own must be equipped to participate meaningfully in the mainstream of that society.

> It should not be necessary for that individual to sacrifice his rich native language and culture to achieve such participation.

Therefore, I come before you today as an advocate for bilingual education for all children who need and benefit educationally, socially, and psychologically from these programs, but especially for the Italo-American child whose bilingual needs have been shockingly neglected by the Federal Government.

Italians in the United States constitute numerically, culturally and politically, an important minority group, second only to the Spanish-speaking communities. Smaller in size than any one of our Western States, Italy has contributed a larger number of immigrants to America than any other country, with the possible exception of Germany.

The Center for Migration Studies and the Department of Labor Statistics reports that approximately 25,000 Italians enter our country every year, I would say, since 1965 and the new immigration law.

A third of all Italian arrivals settled in New York City. Therefore, it would seem reasonable to assume that the number of Italian dominant children who enter the New York City public schools is approximately 2,000 a year.

Since it takes 2 or 3 years for a child to learn sufficient English in order to function adequately in a total English program, the number of Italian children who have difficulty with the English language in New York City alone ranges from 5,000 to 6,000.

The annual survey of pupils who have difficulty with the English language conducted by the Office of Educational Program Research and Statistics reflects a steady increase of Italian dominant children in the city school system since 1970.

Despite the fact that these Italian dominant children represent the third largest group of children with English difficulty, no bilingual programs had been available to them in New York City until a year ago.

The first Italian bilingual classes to be instituted in the New York City schools began in February 1973. These classes were made possible by the allocation of $1 million of tax levy money for bilingual programs.

As a result of these funds, three districts in New York City, namely districts 11, 20, and 21, introduced Italian bilingual classes. The Italian bilingual classes were increased as a result of a greater commitment of tax levy money for bilingual programs during the current school year.

Nevertheless, only 603 children are serviced out of a total of over 5,000 students.

While I commend the New York Board of Education for their initiative in introducing Italian bilingual programs, the Federal Government has shown indifference and even callousness in this area.

Even under the $35,130,000 provided by the Bilingual Act, title VII, there is no Italian bilingual program being funded in the entire United States.

I have been informed by the Bilingual Education of the Board of Education that there will be approximately $60 million provided under title VII for bilingual programs in 1974–75.

I strongly urge and plead that a portion of these funds be used to meet the need of the Italian-speaking students in the public schools. The use of a portion of these funds becomes imperative when one realizes that there is no Italian bilingual program being funded under any other source, such as ESEA, title I, title III, State urban or chapter 720 of the New York State laws.

The inequity to the Italian population is quite obvious when one considers these facts. A great need exists in the area of Italian bilingual education, not only in terms of teaching personnel but also in the areas of supervisions, curriculum development, relevant materials and teacher training at the college level.

Presently five districts have submitted title VII ESEA proposals that include Italian programs: they are districts 11, 20, 21, 30 and 32. I would strongly urge once again that these proposals be funded.

I am not suggesting that we eliminate programs from other groups. I do suggest that more funds be allocated by the Congress to properly meet the needs of all of our bilingual children.

The Department of Health, Education, and Welfare has practiced a blatant discrimination in the past against certain ethnic groups, including Italians, in the funding of bilingual programs. It is my hope that this committee and the Congress will see to it that this discrimination is ended.

Thank you.

Mrs. CHISHOLM. Thank you very much.

Mr. BIAGGI. Thank you for a most comprehensive, enlightening and concise statement. The charges you make of the Federal Government failing to fund a single program dealing with the Italian American on a bilingual basis is sustained by the response to queries I have made to representatives of HEW, and representatives of the Department of Justice.

There is no question in my mind that this couldn't just be coincidental. For the record, I have stated that in congressional hearings in Washington. It was acknowledged there wasn't a single program funded by the Federal Government for Italian Americans.

By the way, that is not confined solely to Italian Americans because there are many others; the French may have one or two but the need is greater than those one or two provides. That concurs with my opening comments.

We agree the bilingual program is an important program But it must be fully implemented. It must be properly funded and properly administered. Even if we get additional money at this point the same philosophy prevails; there is no assurance these groups that have been discriminated against—some blatantly discriminated against—would receive better treatment

These groups would continue to be similarly treated. It is essential in my mind we do get the initial moneys so that the present programs are expanded and the groups that heretofore have been neglected be provided for.

I think the point you make is precise and consistent with the testimony and evidence given in former hearings in Washington. I thank you for your presence and your wonderful testimony.

Mrs. CHISHOLM. Thank you.

I have a number of questions to ask you because we are trying to think through many, many things. First of all, what do you think of the "melting pot" idea?

Mr. AIELLO. I feel that the "melting pot" conception was a myth at best. It has been shown in the last 5 or 10 years by many studies that it was a fraud perpetrated upon people here that they should somehow lose their identity, their cultural heritage and melt into some—It wasn't even defined what they should melt into, some concept of what an American should be.

I think the concept of the "salad bowl", as it has been called, where people work together towards a common goal, as defined by the Nation, and yet maintain their own heritage and cultural pride and background is not only essential but I think it is psychologially the factor that will help bring Americans together.

What I mean is, if someone understands themself and has a feeling for his own pride, his own heritage, what he is, where he came from, where he is going and an understanding of that to the larger picture.

I feel this concept of cultural pluralism promotes greater understanding rather than having a devisive effect. I believe, as I have said, the "melting pot" has been attacked not only by myself but many eminent sociologists, historians and psychologists.

I believe the role for our country is one of true cultural goals.

Mrs. CHISHOLM. I don't want to sound like the devil's advocate but I am purposely doing it because I am trying to wrestle with several problems. We are concerned about multifacetedness of society in terms of all kinds of people.

The Spanish-speaking people want bicultural, bilingual programs. The Albanians want it. The Polish people want it. The Italian people want it. The Greek people want it, and all of the different groups that make up this country sooner or later will feel that it is very important, because of the need to preserve their culture, need to have a knowledge of their own heritage and that in any particular areas where these groups are located that the school systems should be reflective of the bilingual-bicultural programs that we are talking about.

The whole question of funding and monies to do all these things that we need to do is a continual problem with us. What other criteria or bases that those of us who are legislators utilize when we relize that we only have x number of dollars and we have to address ourselves to all of these different needs, justifiably so in terms of a person's own cultural background and heritage?

Help us in this dilemma because we have had several persons in Washington testifying from about 20 or 25 different groups where there has been no bilingual or bicultural programs established for them.

They are concerned. Then, when we look at the number of dollars we have we realize it is important.

Mr. AIELLO. Let me say this, this is not a problem new to us in the Board of Education. We face a similar type of problem in the allocation of funds for many of our diversified programs.

If I had the answer I would certainly share it with all of us. However, I do want to make two statements. By not reaching out to the needs of as many groups as exist and taking into account the sometimes scarcity of funds we help to perpetuate what I like to call "program conflict" between and among groups.

It becomes "why are they getting it and we are not," and what you do is proliferate intergroup, interracial, interethnic tensions by some groups feeling they are on the outs though they have legitimate needs and the others are on the in although they have legitimate needs.

What we try to do at the board of education with the bilingual program is to involve as many of these groups as possible to form, if you will, an ad hoc type of coalition of parents and communities interested in total bilingual needs and to address the official authorities that we are not going to have the excuse being given, "I am sorry, we can only fund this group or that group."

We are going to go as a united voice to meet the needs of all our kids. Taking into account the realities of the funding and the situation, I believe we know the Spanish-speaking group has the greatest need in this area.

I, for one, am never going to go on record and say we must take from that group. If we must fight for more funds so that other groups can be included, that is the avenue I would take.

I would also say that those groups, such as the Italian group that I spoke for today, who has the third greatest need, must realize you have other groups that have greater numerical needs, therefore, you are not going to have as many programs.

But this can only be done when people of good will sit down across the table and understand that they have a common agenda which affects all their children. It cannot be done when we pit against group.

Mrs. CHISHOLM. I would like to further say it is a very good analysis. I would also like to say that if we are going to go on the basis of statistical analysis and on the basis of what is happening to the young people in the schools of New York, taking into account their particular ethnic background, language background, or however you may want to term it, we would have to say that currently in the city of New York the greatest need has been in the area of the Spanish-speaking population because the school statistics and everything pertaining to the job market, their economic level, can contrast to other ethnic groups in this city proportionate to their numbers in the city, they are at the very bottom.

Therefore, in terms of these funds we realize that because we do not have the money necessary that perhaps we have been trying to establish some priorities recognizing that there are other groups in the city of New York that are now beginning to come in, the most recent wave that has come into our city.

We have to really look at it. We have to consider it. All we are trying to find out, and I believe my colleagues will agree with me, is knowing that we will get a large authorization in the U.S. Congress for money to carry on certain kinds of programs and when the Appropriations Committee gets through with us we have absolutely little or nothing to do the kind of job you are talking about.

I just wanted to say that for the record because if we go back historically in this country, when we had waves of different migrants coming to these United States this problem was faced by every group.

The Germans came in the 1880's. Then the Italians in the 1890's. We found all of these different kinds of problems and we had to find way of trying to resolve these problems. Now the Puerto Ricans are the greatest wave that are coming in.

This is the history of America. Recognizing this, we are attempting to find a way to make sure we do not bring about any great internecine difficulties, conflicts, racial tension.

I just want to make sure we have that for the record. The Italians have been appearing before our committee and have justifiably put their case before us on the basis of the location of several large Italian populations in this country that are not really getting any help.

I want to thank you very much for your appearence before this committee.

Mr. AIELLO. Thank you.

Mrs. CHISHOLM. The next witness will be Mr. David Krulik. Mr. Krulik is the assistant director of the Office of Bilingual Education for Children Learning English as a Second Language. Without objection your full statement will be entered into the record.

[The statement referred to follows:]

Prepared Statement of David Krulik, Assistant Director, Office of Bilingual Education for Children Learning English as a Second Language, New York City Board of Education

This inquiry evidences a concern for the non-English speaking youngster with which I am thoroughly in sympathy. I believe we need to do more for all children in our schools. My conviction is that we need to do more, much more with both English as a second language and with bilingual instruction. The pupil who becomes fluent in both Spanish and English has obvious advantages in school and society. At the same time that child's identity—his image of himself and his culture—is established with strength and pride. The maintenance of his cultural heritage is assured.

You do not need to be told that under decentralization only the operations of the high schools are under central control. The expenditure of funds for bilingual education and English as a second language in the districts is controlled by the Community School Boards. Any inquiry into the extent or nature or adequacy of such district expenditures must be directed to each of the Boards. It is clear, of course, that every one of the Boards is limited by budgetary stringency affecting the entire educational program of the city.

English as a Second Language Program, or as a classification, English to Second Language Learners is directed to the teaching of the English language as the target language through a specialized, structured program. The goals of the English as a Second Language Program may be applied to long range bilingual goals as well.

The primary long range goal is to reach all children for whom English is a second language. An immediate goal is to enable these students to accelerate in the progress of oral language skills, and the companion skills of listening, reading, and writing.

Youth today must develop adequate communication skills in English. The present and future indicate a great mobility. In fact, there is a popular teenage rock song entitled, "Doesn't Anyone Stay In One Place Anymore". Opportunities which will present themselves will demand ability to adopt to new challenges in an environment where English is the primary language.

The need and demand for bilingual programs with the English as a second language component is evident, especially when we consider the statistics. During the last school year—which is the latest for which data have been processed by the Bureau of Educational Program Research and Statistics—we had *256,492* Puerto Rican pupils and *40,516* other Spanish-speaking students in our schools. Of these, *79,116* Puerto Rican and *19,797* other Spanish-speaking pupils were classified as having English language difficulty. These two groups constitute the laregst part of the non-English speaking population for which our schools proivde special services. The other major groups with English language difficulty are Chinese, *6,183*, Italian, *4,147*, Greek, *1,770*, and French, *3,747*. As is evident, the major portion of language handicapped youngsters is Spanish. These staggering statistics underline the fact that we have a mammouth task on our hands.

The English as a Second Language Program of the Bilingual Bureau in New York City conforms to the priorities set down by Albany and is presently state funded.

The major success of this program is in meeting a real educational need. The program involves the teaching of communication-skills in English to the child whose first language is other than English. Therefore, the target population is the bilingual child, for whom, through this program, second language learning (English) is reinforced. If not for this project and bilingual programs, students would not be receiving this specialized instructional care and guidance their particular educational needs demand. Children whose first language is Spanish compose the major portion of the pupil population in our program. It should be emphasized that children speaking 38 different native languages are included in the English as a Second Language Program. The need for the program keeps growing with the passing of each day. The influx of students is a steady stream. In the past, the major portion of newcomers was from Puerto Rico. The new arrivals come from South America (Chile, Colombia), Central America (Santo Domingo), Haiti, Japan, China, Yugoslavia, Greece, Italy and from practically every other country in the world. In the representation in the English as a Second Language Program, the major language is Spanish followed by Chinese, Italian, Greek and French. Funding is crucial in the perpetuation of the English as a Second Language Program.

The Office of Bilingual Education, of which the English as a Second Language Division is a component, is involved in instruction in two languages. The dominant language of the child and the dominant language of the society. Therefore, bilingual programs necessitate having a strong English as a second language component. English as a Second Language and Bilingual Education are cooperative, co-existing programs to help youngsters find success and happiness in the pluralistic American society. In the bilingual program the child receives academic instruction for a certain portion of the school day in his native language, and the remaining portion in English. These proportions vary as the student becomes more adept in his second language. Therefore, while the youngster studies his academic work in a bilingual program, it is equally important to reinforce his acquisitions of communication skills in a small group setting in English. Bilingual programs now exist in Spanish, Chinese, Italian and Greek.

Since we wish to maintain the bilingual ability of the pupil, it is most important that there be a well-rounded program that will provide for his native language and culture, and also give him the tools to function in the language of the society in which he lives.

Our Bureau has helped innovate, organize and assist in the development of educational programs and projects which facilitate the rapid and effective adjustment of students learning English as a second language. This includes devising and planning of strategies which develop clearer insights into the problems of the (a) initial placement of newly arrived students learning English as a second language, (b) class organization, (c) time allotment for language instruction, (d) use of various media of instruction in teaching English as a second language, (e) development of instruments of assessment for diagnostic and achievement purposes.

Let me indicate, however, some measure of what is being done both in the district schools and in the high schools. Much of the instruction of non-English-speaking pupils is carried on in the ordinary classroom. Our language arts curriculum bulletins provide the necessary guidance for teachers so that they can use the techniques for teaching English as a second language in these classrooms. But we also have both special teachers of English as a second language and bilingual teachers in the instructional program throughout the city.

On the elementary level, the programs vary as to special needs and resources available. In many schools the "pull out" system is used. Children are taken out of their regular classroom by a trained English as a second language teacher and given intensive language instruction for an allotted time daily. The teacher usually sees from eight to fifteen students for a 40 minute period. It is obvious from this description that the teacher of English as a second language sees approximately 60 students daily.

In some schools there are children in need of special instruction in English who never receive special instruction in English or in their native language. There is a great need for more teachers of English as a second language and bilingual education. The Board of Examiners has been licensing teachers in both areas. However, a teacher who teaches in a bilingual class may have as many as 34 pupils in her class.

For these pupils, it is most important that the class size be no more than 15 to 20 pupils. This allows for greater individualization of instruction and for a closer relationship between teacher and pupil. It is only through federal and state funds that we are able to set up programs that restrict class size to 15 to 20. Also, through reimbursable programs we are able to purchase materials that are not on New York State Textbook lists. This provides more realistic material. For example, in the Native Language Arts Program we have purchased materials from all parts of the Spanish speaking world. They are appropriate for youngsters and relevant to their needs and abilities.

It is my feeling and the feeling of the Bureau that more bilingual programs are needed with teachers especially trained in bilingual and English as a second language technique.

On the intermediate and junior high school levels, there are also a variety of programs depending on the philosophy of the district and the monies available. In some schools there are orientation classes with special teachers for instruction in English as a second language and major subject areas. These pupils are programmed with regular classes in art, music, health education and shop.

The bilingual programs in the junior high schools are not as structured as those in the bilingual schools or in the Title VII programs in three of the New York City high schools. Here is it a question of what is available. Usually, a principal will create a bilingual class in a particular subject area only if he has a teacher who is bilingual and has a background in that particular area. We must realize that on the secondary level the pupils are being taught by teachers who are "specialists" in their field.

In 1956 under the direction of Dr. Carmen Sanguinetti science was taught bilingually in five junior high schools. She developed and translated the science curriculum for the seventh, eighth and ninth grades. She also helped train the teacher in the program. The program has proved to be quite successful and today is located in twenty-seven junior high schools around the city. In this program we taught the content in their native language, Spanish and the concepts and vocabulary are reinforced in English.

There is a great need for structured bilingual programs in the junior high schools for all content areas and for a strong English as a second language program. Again special funding is desperately needed so that class size can be restricted to 15 to 20, special materials may be purchased and teachers trained to teach in such a program.

For the past four years we have had a specialized program that has expanded from 16 to 55 high schools, from 32 number of teaching positions to 115 number of teachers. It is a State Urban Education Program for the improvement of the teaching of English teaching of English as a second language. In our program the students represent 38 different language backgrounds. In some of our classes there are as many as 20 different countries represented. In this program 115 teachers have been assigned to the various high schools to work with those pupils who need special training in English. This program has made it possible for class size to be reduced to a maximum of 20 pupils.

The teachers instruct a double period of English as a Second Language. The first period stresses the development of audio-lingual skills; the second period the reinforcement of these skills through reading and writing. The teachers in this program teach five periods daily. They have been especially selected for this program. In the program teacher-trainers visit the schools on a scheduled basis. Their functions are to demonstrate techniques of teaching E.S.L., to conduct workshops for teachers in and out of the program, to create curriculum materials and assist in the dissemination of information. Materials are selected by a committee of teachers and supervisors. We have attempted to maintain some uniformity in the materials used. This is necessary because of the mobility of many students. Dictionaries in his native language have been provided for each pupil.

We make every effort to have our English as a second language students programmed for the study of their native language. We realize the importance of maintaining a student's language and culture. Seward Park High School in Manhattan is a good example of this philosophy. At Seward Park High School, there is a trilingual program. Pupils are taught in English, Spanish and Chinese.

In our efforts to implement a multi-faceted approach we have initiated a Title VII bilingual program at Eastern District High School. Eastern District is located in the Williamsburg Section of Brooklyn. The school has a student body that is 71% Spanish speaking. The program is in its second year. The program is meeting with success. The students are taught mathematics, science, and social studies bilingually. They are integrated into the mainstream in other curriculum areas.

The students are given many opportunities for developing a positive self-image. For example, on Puerto Rican Discovery Day or Pan American Day or a special Dominican holiday, these pupils put on plays in the assembly for the entire school.

The parents are actually engaged in this program. We meet once a month to discuss progress and future plans for the students in the program.

Student attendance is excellent. Part of the success of the program goes to Mr. Haydee Surillo, who is the coordinator at the school of this program.

Unfortunately, we have very little funds to work with. The first year we were given $100,000, the second year $105,000. We are asking for $303,000 for next year. We have no secretary and no bilingual guidance counselor in the program. The students receive their English training in special classes for English as a Second Language. We have attempted to keep class size to 20. This allows for greater individualization of instruction. We receive many calls from parents who would like their youngsters placed into this program. We receive inquiries from educators all over the city and sttae who are interested in this program. We would like to expand, but we would need a great deal more money to meet the needs of such expansion.

There is a great need for these bilingual programs on the lower levels so that there can be continuity of instruction. However, on the high school level the point must be made that youngsters come to us throughout the entire school year. To put these students into the mainstream would be a disaster. Therefore, we have over 200 students in a program written for 160 with the same number of teachers. Given sufficient monies these programs could be emulated throughout the city, not only for Spanish-speaking youngsters but for other non-English speaking groups.

I remember when I first started teaching over 20 years ago, I had two boys in my class who could not read or write English or Spanish and who spoke little or no English. I was at a loss as to how to help them. Through the years I have given this problem a lot of thought. In going around the city I found that one of the most consistent complaints on the part of teachers of English as a Second Language was, "What do I do with an illiterate youngster or one who can barely read his own language?"

A survey showed that we had over 2,000 youngsters in the high schools who are so severely retarded in reading and writing that they cannot function in either language. We designed a program called the Native Language Arts Program to meet the need of these youngsters. This program is designed to:

1. Make it possible for these pupils to learn to read and write in their native language.

2. Help them adjust to a completely alien situation by having foreign language speaking personnel. Give them a feeling of security by making it possible for them to learn basic language arts skills in their native language.

3. Make it possible for these pupils to learn to speak and understand English.

4. Deter the high drop-out rate among foreign language speaking pupils by giving them a feeling of belonging, accomplishment, responsibility and success through the intensive use of their native language.

5. Provide smaller classes for instruction in Spanish and English so that there will be greater individual attention to needs.

The evaluation of this program has been most positive with a recommendation that it be continued. It is in 23 high schools at the present time. This year we have the program in Spanish and French. Next year we plan to include Chinese and if possible Italian.

It has been successful for a number of reasons.

1. the class size is 15 to 20
2. the teachers are bilingual
3. there is 80 minutes of native language instruction
4. there is 80 minutes of English as a second language instruction
5. there is integration with other pupils in the mainstream
6. there are materials especially selected in Spanish, French and English to meet the needs of these youngsters.

I am certain that this program could be expanded into the junior high schools. However, the smaller class size makes it an expensive proposition and unless there is more funding it would be difficult to create such a program on the junior high school level.

Teacher training is nuclear to the success of our programs. Regular training institutes are held for the teachers and supervisors of the program. At these institutes, new materials are introduced for the group to evaluate and recommend. At one institute, Dr. Robert Lado of Georgetown University and the author of a series of books that we are using, spoke to the group. At another institute, teachers of five different ethnic groups, Spanish, French (Haitian), Chinese, Italian, and Greek spoke of the student's educational experiences in his native land and here. Family life and important needs were also discussed. At a follow-up institute, five E.S.L. students spoke to the group about their feelings, aspirations and participation in the E.S.L. programs.

Two institutes were video-taped and have been on loan to colleges and faculties. They are very useful for teacher-training and understanding of human relations.

At these institutes we have large representation from the local colleges and from the district offices and schools. Every attempt is made to create a sound articulation program on all levels through demonstration lessons for teachers, supervisors and paraprofessionals.

The office has produced a great deal of materials in the field of English as a Second Language. We have available model E.S.L. lessons, model social studies lessons and a bilingual dictionary of biological terms, English-Spanish. The Board of Education has also published an excellent bulletin "English as a Second Language Through the Middle Grades". We have initiated an E.S.L. Newsletter which is used to disseminate information about E.S.L. throughout the city. These materials are sent to schools and district offices to be used with those students learning English as a second language.

Another service we offer schools and districts is assistance in setting up an E.S.L. program and selection of materials for that program. We give in-service courses for all teachers in the areas of methods and materials in E.S.L. and techniques in teaching reading to E.S.L. students. These courses are open to teachers of all levels.

Through the Bilingual and English as a Second Language Programs, thousands of language handicapped youngsters are able to learn under educationally sound conditions in small classes with properly licensed and trained teachers. The creation of a good, healthy atmosphere in these classrooms has made it possible for non-English speaking pupils to be accepted with dignity and understanding.

If sufficient funding comes forth from Washington and from Albany we would be able to:

1. Expand bilingual programs to include all the major ethnic groups
2. Have English as a second language programs with a realistic class size of fifteen to twenty students
3. Expand the Native Language Arts Program
4. Set up a teacher training program to develop the special techniques to meet the needs of our language handicapped youngsters
5. Recruit a research team to develop curriculum, materials, and valid tests for the screening and placement of non-English speaking youngsters
6. Enrich the experimental background of those disadvantaged youngsters by providing monies for trips to historic and cultural sites in and around New York City

May I point out that there are thousands of youngsters in non-Title I schools who are not receiving assistance for these special programs because they are not considered disadvantaged students. There is a definite need to change this ruling so that all language handicapped youngsters might benefit from such programs.

With your help and understanding we expect to exert even greater effort to strengthen and enlarge the English as a Second Language Programs, Bilingual Programs, and Native Language Arts Programs, so that we will be operating with a bulldozer to carry forward and augment the accomplishments of our present spadework. A quotation from "The Implications of Linguistics for Reading" by Ronald Wardbaugh is most appropriate for today's educational scene: 'It should be possible to look forward to a period when criticism will be instructive and not destrutcive, when gimmickry is rejected, not respected, and when asking the right question appears to be at least as important as finding rationalizations for old answers."

TABLE 2.—NEW YORK CITY PUBLIC SCHOOL PUPILS RATED AS TO ABILITY TO SPEAK ENGLISH, BY LANGUAGE GROUP, OCTOBER 1973

	English language difficulty							
	Moderate English language difficulty		Severe English language difficulty		Fluent English speaking		Total group	
Language group	Number	Percent	Number	Percent	Number	Percent	Number	Percent
English speaking	20,922	2.7	4,604	0.6	737,126	96.7	762,652	100
Puerto Rican	54,751	21.3	24,365	9.5	177,376	69.2	256,492	100
Other Spanish Speaking	11,443	28.3	8,354	20.6	20,719	51.1	40,516	100
Chinese	4,158	26.3	2,025	12.8	9,611	60.9	15,794	100
Italian	2,630	23.4	1,517	13.5	7,090	63.1	11,237	100
Greek	1,197	21.5	573	10.3	3,789	68.2	5,559	100
French	2,402	38.8	1,345	21.8	2,436	39.4	6,183	100
Other foreign language	2,693	31.9	1,474	17.5	4,261	50.6	8,428	100
Total	100,196	9.1	44,257	4.0	962,408	86.9	1,106,861	100

STATEMENT OF DAVID KRULIK, ASSISTANT DIRECTOR, OFFICE OF BILINGUAL EDUCATION FOR CHILDREN LEARNING ENGLISH AS A SECOND LANGUAGE, NEW YORK CITY BOARD OF EDUCATION

Mr. **Krulik.** I want to thank you for the opportunity to speak today. I didn't realize my boss is sitting behind me so I have to choose my words carefully.

As you know, we have approximately 150,000 non-English-speaking youngsters in New York City schools today. As was pointed out, 80 percent of them are Spanish-speaking. We do have large groups of Chinese, Italian, French, Greek, and as many as 38 different languages represented in some of our schools.

The schools in Queens, for example, have youngsters representing 20 different ethnic groups. The ESL student is that student who is rated C through F on the Puerto Rican Study scale, which was done in 1954.

A later scale was developed which gives a child a rating of one or two, which is minor or severe in speaking English. We still do not have a real valid tool to measure a pupil ability.

In October of 1973, in a program in high schools for English as a second language, we tested over 4,000 youngsters. We used a primary form of the Stanford. The median score we achieved was 2.5.

As you can see, with a 2.5 reading score, should a youngster coming into the ninth grade from a foreign country be given a social studies test based on ninth-year material?

How difficult it would be for that youngster to meet with success. Therefore, there is a definite need for a strong bilingual program for English as a second language and for a native language arts program.

In the bilingual education field there is a tremendous need for continuity of instruction. For example, there are bilingual classes on the elementary level. There are some bilingual classes on the junior high level and there are some bilingual classes on the high school level, but nowhere to my knowledge is there this continuity where one leads into the second and into the third.

This takes a great deal of planning and a great deal of money. There is also that need which was mentioned for a strong teacher training program The techniques of bilingual education are different from those of teaching Spanish and teaching English as a second language.

They involve teaching in two languages, the native language of the youngster and the language of the country. Therefore, the entire training program for teachers must be revised both on in-service and college levels.

There is a tremendous needs for curriculum and materials. I have brought with me two books, which I will leave for the committee. These books are not New York State listed and, as such, cannot be bought by a school because they are not so listed.

These are two very excellent books dealing with mythology of countries throughout the world in Spanish. The beauty of these two books is that they only cost us a $1 apiece. We are able to purchase these books for our special program because we have title I funds, and with title I funds we are not restricted.

The English as a second language program, on its elementary level, needs a great deal of funding because an Englist as a second language teacher can only service approximately 60 children a week.

In the school where I was the acting principal we had an 85 percent Spanish-speaking population with one English as a second language teacher for bilingual education. You can see that very few of the children got the service they should have gotten.

Also, these children should be given, as is explained in the Wingate situation, a saturation of the language. In 40 minutes the youngster does not get sufficient time to learn all the skills necessary for success.

On the high school level, the English as a second language program is funded by State funds. We are in 55 high schools throughout the city. The youngsters get 80 minutes of English as a second language a day plus a third period of ether speech or English.

They are programed in such a manner that they can move at their own pace. For example, there are three levels of English as a second language—beginning, intermediate, and advanced.

In this way, a youngster comes to us in September with a great deal of ability and is not held back. With the parallel program he can be moved into the intermediate groups as soon as he is ready.

Again, there is a great deal of teacher training that goes on in this program. We have five teaacher trainers who visit these high schools on a regular scheduled program and do in-service training and on-the-job training and aiso do workshops, not only for the teachers involved in teaching English as a second language but all the other content areas, so that the other teachers are aware of these youngsters.

We also maintained a class size of 15 to 20. This is most important for individualized instruction. In the tax levy position of ESL, at the school the teacher will have as many as 34 youngsters, but because this is a specially funded program we are able to maintain class sizes of 15 to 20.

However, next year we are going to be losing categorically from the State and this program will be lost to the city. This means that all of those schools that are not title I schools, such as New Utrecht, for example, in Brooklyn, where there is a large Italian community, or Lafayette, which has a large Italian community, will not be getting the benefits of this program.

This program is being underwritten now under title I funds, and those youngsters who go to high schools which are not title I high schools will not get the benefit of this highly structured program.

I think this is something we should consider very strongly about funding. We have over 3,000 youngsters in Queens in the high schools who will be getting the benefit of this program because most of the high schools in Queens are not title I, except for Jackson, and I forget the other one.

All the other high schools in Queens are not considered title I and therefore will not be receiving this type of program.

I would like to now speak about a program that was instituted last February of which the principal of Wingate spoke, and that is the native language arts program. In going around the city we found over 2,000 youngsters, both Spanish and French, for the Haitian, who could neither read nor write in French, Spanish or English.

They would come to class not being able to function in any way possible. They were discipline problems. They were dropouts. Through title I funding we were able to create a program called the native language arts program in 23 high schools where a teacher teaches 40 youngsters a day double periods in the youngster's native language and where he learns to read and write in his own language.

Then he has English as a second language to reinforce what is being taught to him. The results have been unbelievable. as was pointed out by our first speaker. There is the story of this one youngster in Seward Park High School who was a most difficult youngster.

He was placed into this class when he came to school. It seems that because of being in this class his attendance improved tremendously, his discipline has improved tremendously. In fact, the book that we bought for him, not the books I have given you but a different book called "Espanol Basico", which also came from Spain, this youngster takes with him to every class he goes to because for the first time in his life he can actually put two letters together and make it have some meaning for him.

So this program is an excellent program. It is title I, but we cannot go into a school like New Utrecht, where there are about 40 Italian youngsters who would benefit from this type of program. Since New Utrecht is not title I they cannot receive this help.

Also, in this native language arts program, I would like to point out that we have paraprofessionals and in the year and a half this program has been in effect, two of the paraprofessionals have become teachers in the program.

There is a career ladder here and there is an opportunity for people to move up. We hope that with your support we will be operating to carry forward and augment the accomplishments of our present spadework.

I would like to close with a quote form a magazine article, "The Implications of Linguistics for Reading". It says:

> It should be possible to look forward to a period where criticism will be instructive and not destructive; when gimmickry is rejected, not respected; and, when asking the right question appears to be at least as important as finding rationalizations for old answers.

Mr. Badillo. You have a chart showing the number of students having difficulty in English at the present time. Have you made projections for the future in terms of increasing problems and where the problems are likely to increase?

Mr. Krulik. This is a very difficult thing to do. The children come in all year round. They come in all the time. We have youngsters being enrolled in Wingate at the present time; at least in the district high school.

We have asked the Bureau of Education Statistics if they could possibly prepare an ethnic census form that would give us some indication of where these different pockets are. For example, there are quite a few Yugoslav youngsters in district 17.

We would like to know exactly where they are so that when Mr. La Fontaine and I get together for planning, we know exactly where things have to go.

Mr. BADILLO. Also, there is the question of increased migration from these countries. For example, migration from Haiti and the Dominican Republic is fairly recent. Is there any way you can find out what the likely increase in migration is going to be?

Mr. KRULIK. Do you mean a projection for next year?

Mr. BADILLO. If there was an area where perhaps the Board could work with the U.S. Department of Immigration because they have projected statistics in terms of migration, both legal and illegal, from different countries, I think it would be important to coordinate the efforts of the two agencies.

Mr. BIAGGI. You referred to Dr. Schain. He advocated family teaching as more effective method. Would you care to comment?

Mr. KRULIK. Yes. We have a very fine program at John Jay High School where teachers, after school, go to the homes and actually teach the parents and the youngsters English. In fact, one of the classes is held in the back of a restaurant because the parents own a luncheonette, and at the end of the night the teacher meets them in the back and teaches the parents and the kids.

Unfortunately, this program is going out because there will be no categorical aid. We try as best as possible to involve parents in our planning. For example, we have a title VII program in Eastern District High School where we have a parent advisory council that meets with the principal and me and the coordinator once a month in the school.

The parents are most interested. They really have their hearts set on this thing. One parent actually takes off from a factory without pay to attend this meeting. So, we do our best to invite parents and have parents attend, but you must understand that in the high schools the parents come from varied areas, some of them quite a distance from the school, so it makes it a little difficult sometimes.

Mr. BIAGGI. Thank you very much.

Our next witness is Paula Alleva.

STATEMENT OF MRS. PAULA ALLEVA, DISTRICT 21 COORDINATOR OF BILINGUAL, FOREIGN LANGUAGE AND TEST PROGRAMS

Mrs. ALLEVA. Thank you, Mr. Biaggi.

I should like to address myself to the needs of our non-English speaking pupils. We have urged that monies be allocated to provide for bilingual Italian and bilingual Spanish classes in our district.

Studies conducted by Rev. Silvan Tomasi, director of Center of Migration studies, Staten Island, N.Y., under the auspices of the Ford Foundation, Indicate that the highest concentrations of Italian-speaking families were in the Bensonhurst, Bath Beach, and Gravesend sections of Brooklyn. These geographical areas constitute a major part of the total area of school district 21.

The pupil population at P.S. 95, 97, 101, 177, 212, and 248 is reflective of this trend. At least 50 percent of the students were from Italian-American parentage. Approximately one-fourth of these come from homes where Italian is the dominant language spoken.

Language barriers and lack of familiarity with job requirements in this country mitigate against the possibility of recent Italian immigrants securing immediate employment. When they are sucessful, their wages are meager.

They do not usually apply for welfare benefits because this is a concept foreign to their understanding and culture. In many cases they receive economic help from relatives with whom they often reside. We, therefore, can assume that their socio-economic status is at the poverty level.

Children entering school in Bensonhurst and Gravesend from families such as these exhibit all of the educational disadvantages associated with children of poverty. They experience failure because of language difficulties.

They become disinterested and apathetic. Communication with the home is almost non-existent. At present only two bilingual—Italian—teachers in school and community relations are providing services to our pupils in district 21.

In February 1873, I initiated the first bilingual—Italian—track—7th, 8th and 9th grades—at the Joseph B. Cavallaro School. This program has been funded under city tax levy monies and has become a model for New York State.

For the past year, many educators and prominent people from the Italian Consulate and cultural organizations have observed the bilingual—Italian—program at the Joseph B. Cavallaro School and have been impressed by the accomplishments of the students.

In a very short time, a major linguistic and social adjustment as well as academic achievements have been made by the students. An Italian bilingual science fair was held at this school. The principal commended these pupils in his statement as follows:

> The high calibre of the projects and the explanations of each given by the pupils who made them was evidence of the excellent quality of education these pupils are receiving in out Italian bilingual program.

This is only one school with three classes in bilingual education. Our district is in need of bilingual classes in 10 schools. Therefore, a title VII proposal was submitted on February 8, 1974 to the U.S. Office of Education. PR No. S0139SA is the proposal identification number. We haven't heard any news on our proposal.

I strongly urge that pilot bilingual—Italian—program be funded to educate our pupils to face our competitive economic society.

For the past year, I have been a member of the Advisory Committee of the Bilingual Teacher Training Institute of Long Island University. A Federal proposal was written to fund a project of bilingual courses which may be applied toward a master of science degree in bilingual and urban education.

The project was approved and is supported by a grant from the U.S. Office of Education under the Emergency School Act, title VII, Public Law 92–318. I was notified a week ago by Dr. Gladys Wolff, coordinator of bilingual education program at Long Island University that the project included Spanish, French, Chinese language courses for the teachers.

Italian was omitted from this project even though there has been a great need for the training of bilingual—Italian—teachers. No college or university in New York has such a program and I had hoped Long Island University included it on the Federal project

I urge you to consider our district needs and include the bilingual—Italian—teachers of district 21 for this wonderful opportunity of professional growth.

Mr. BIAGGI. Thank you very much.

Mrs. Alleva. I want to thank you for your participation in this program. If I understand you correctly, there is a possibility of the program going out of business. You have been funded by city funds to this point?

Mrs. ALLEVA. Yes, to the present time we have been funded by city tax levy money and the Office of bilingual Education, Mr. La Fontaine of the Board of Education. That is all.

Mr. BIAGGI. I note that you have a proposal submitted under title VII.

Mrs. ALLEVA. Yes, and I specified the proposal identification number because I would like someone to look into it because we do have a great need. I also have included in that proposal five schools in the Coney Island section, which is predominantly a Puerto Rican community, and they certainly need it. That is the same proposal.

That is why I should like its consideration and that you look into it.

Mr. BIAGGI. You don't have a Spanish program in that area.

Mrs. ALLEVA. Yes, we have three elementary schools funded by the city, nothing Federal.

Mr. BIAGGI. There is a mutual need.

Mrs. ALLEVA. Definitely, yes.

Mr. BIAGGI. Thank you very much.

Mrs. CHISHOLM. The more I listen to the testimony this morning and the testimony that we had been having in Washington, D.C., we may have to look at this entire concept of bilingual education a little differently in terms of having the community school boards actually statistically give out the kind of information that is necessary with respect to the kinds of children that are attending the school, the makeup of the community in terms of the ethnic background of the families.

And maybe we are going to have to look at the criteria a little bit differently as to how the bilingual monies are being distributed, not only in terms of the overall population of the city of New York but even making it a little bit more localized and establish a corelationalship between the achievement or nonachievement levels of the children in that particular school as a result of perhaps not being able to handle the English language rather than Italian, French, Spanish group or what you have.

What would be your comments on that? We are getting so much testimony on the fact that there are groups in this country that are not getting these funds, and we understand the scarcity of funds, but we do have the concentration of some of these groups in rather large numbers in certain communities that are not really getting any of these funds.

How would you react to that?

Mrs. ALLEVA. Congresswoman Chisholm, I really felt, as Dave Krulik has testified, and my friend Steve Aiello, that if they had an ethnic census to see what our real needs are in every specific district, they would be great. But I understand down at the central board Dr. Anthony Palameni had mentioned at a meeting that this is an explosive topic to discuss, that nobody wants to actually find because they usually put the Puerto Rican, black, oriental and others together and you never really find out specifically all the ethnics that we have in one district.

I think it is very important to help the needs of these children.

Mrs. CHISHOLM. I can understand the explosiveness around a situation that has to do with delineation of peoples according to race of nationality, or what have you. I am really trying to find a way of how we are going to reach the children in specific localities of the city of New York, the State of New York, who have very basic problems that have to do with their inability to achieve because of a language barrier.

What criteria are we going to use unless we are able to identify them to make sure the little money we do have go to the specific communities that need the help? Do you have an alternative?

Mrs. ALLEVA. I can only suggest, Congresswoman Chisholm, that perhaps on a district level they can be. For myself, I go as a district coordinator to 29 schools in my community. I go to, let's say, four elementary schools in the Coney Island section.

We had a bilingual Spanish program, first and second grade, in Public School 288, Mrs. Margaret Nichols, principal. I sat down with her and I found out specifically, from one school, the rundown of her needs and I felt, if we could just follow that, it would be a fantastic job.

You are really pinning down the greatest need of that district. I can tell that in district 21, out of 29 schools, let's say four elementary schools in Coney Island, the Spanish-Puerto Rican community, where they need is greatest.

My second need definitely is the community that has the Italian concentrations and there, as I stated, we haven't received anything. There, I centered most of my interest.

If every district did this you would take this assessment of needs and priorities first and then give it out.

Mrs. CHISHOLM. Thank you very much.

At this moment we have five students of the ASPIRA Club of this school who would like to testify. They have been missing classes and I certainly don't want them to miss any more classes.

STATEMENT OF ROSI IRIZARRY, PRESIDENT, LATINOS UNIDOS CLUB, SPONSORED BY ASPIRA IN ARTS AND DESIGN; ROBERT RAMOS, MEMBER OF THE CLUB; WILLY GONZALEZ, MEMBER OF BOARD; ALICE FIGEROA, MEMBER OF THE BOARD; AND JERRY DE JESUS, ASPIRA MANHATTAN BOROUGH COUNCIL CHAIRMAN

Miss IRIZARRY. My name is Rosi Irizarry, president of the Latinos Unidos Club. On my right is Alice Figeroa, Jerry DeJesus, Willy Gonzalez, and Robert Ramos.

We, the students, see the need of the bilingual-bicultural role. Till now we have been taught courses by people who do not understand our culture or our backgrounds, which affects how we do things and how we react to them.

Because we still have Latins coming into this country with little or no bilingual ability and because this system doesn't want to do more work, they are placed in remedial classes for students with more ability and held back for a couple of years, detaining them from educational advancement without ever realizing their full potential.

Some examples of the present system are a Jewish teacher teaching Spanish when she can't understand our Spanish, or why we speak it. We, the minorities of the school, are taught art without stressing any relevance to our cultures.

To get a Puerto Rican studies course we must petition for it and then recruit our own teachers. Presently in our school there is only one Puerto Rican teacher, and she is teaching math and is not even tenured.

Bilingual-bicultural education would mean that courses in black culture would be taught by blacks who understand their students and have experienced what their students are experiencing.

Jewish students who desire it should be taught in Hebrew by a Jewish teacher.

We, as aspirantes, support the struggle of the third-world parents fighting for community control as in district 1. The bilingual-bicultural program should not deal only with the Puerto Rican community but with all cultural communities other than native American.

Bilingual-bicultural education relates to all students. When we were first told to put up this exhibit and be ushers, it was obvious that we were being used as token Puerto Ricans, that this entire event of the students was to be used as a show to make Dr. Gross, our principal, and this school seem to be doing something for its minorities.

We can give credit to Dr. Gross for this opportunity to speak at this hearing. This is an excellent example of how the system uses its minorities and the uses of the entire idealogy behind the minority and class struggles.

We were told to put up this exhibit to show that we existed and were united. Yet, most of our art work reflects the ideas of our teachers and only how we were told to carry them out. They do not reflect our principles or our unity.

This presentation does. Our club was founded by students and is run by students, not by Dr. Gross, not by the school, not by the board of education. The fact that the school does not allow sufficient funds to enable us to effect our programs has forced us to seek ways of raising money.

For example, we threw a dance, the profits of which were to go to an art workshop. Our presence here today reflects an independent decision arrived at by the club. We realize and want to point out the bilingual-bicultural program is an immediate way to alleviate some of the oppression facing the working class people, and these programs are short-range programs which must be taken beyond the reforms.

They are good reforms but are not the final way of bettering the situation. We must atomize the system behind them and seek reforms in the system, make the people aware of the system and where all our basic problems root from so we, as a people, can correctly deal with the problems and the problems of the ruling system.

We are very conscious of the fact that politics plays a great role in initiating any reforms. Congress today is here for political reasons. Behind these reforms and the society and its systems the politics of the ruling are what cause the conflict between them and the people and within the people themselves.

Our duty, we, as students and you as officials, must expose the true ideology behind the programs initiated by this Government to the people and educate them with the correct political theory and the correct educational guidance.

Mrs. CHISHOLM. Thank you very much.

First of all, I would like to make a correction. All of us do realize that this is a political year, but the people on this subcommittee are not here for political reasons because the people on this subcommittee are the persons who have had to shake up many persons in Washington, D.C. as to the necessity of dramatically focusing on the needs for bilingual education.

We have been traveling throughout this country on poverty programs and the bilingual program. It just so happens that we are in New York City today, so I want to be very sure to let you know that we are not here for political reasons.

There are a few of us that don't operate consistently on the basis of politically expediency. Secondly, I listened to your statement and I agree wholeheartedly with many things that you have said.

First of all, I would like to ask you, did you have any difficulty in terms of your principal permitting you to testify here? Did he know what you were going to testify about?

Miss IRIZARRY. We made it clear to him that we wanted to make the presentation and the only way we would put up the exhibit outside and be here is if we could open up and lay out our lines and our position to you here.

Mrs. CHISHOLM. Secondly, I would like you to tell the audience, because many of the people in the audience may not be aware of it, about the ASPIRA organization.

Miss IRIZARRY. Jerry is the Manhattan Boro Council Chairman of ASPIRA.

Mr. DEJESUS. ASPIRA is a nonprofit corporation. Its basic goal is to create clubs within the high school system to teach Puerto Rican people culture and history. Also, we have programs within ASPIRA for the backward Puerto Ricans and the more underdeveloped for self-education. We have education programs to try to bring out the history of the Puerto Rican people.

We have been developing into a higher level of raising the political consciousness of the students because we felt we had been negating that fact that we are Puerto Ricans, and why is it we have to struggle so much and why is it there are so many reforms. The reason there are reforms is because there is oppression.

The clubs have more of an understanding of what is existing in the boroughs of the Bronx and Brooklyn. Together we are united as the ASPIRA Clubs Federation. It is progressing very good so far.

Mr. **Badillo.** Thank you for your testimony. I just want to point out that the importance of your testimony is not so much for those of us who are involved but because it is being recorded and will be taken back to our committee so that we can change the existing law, which was approved in 1967, which basically spoke only about bilingual education, so we can try to change it to make it bicultural instead of just bilingual so that the programs you speak of can be adopted not only here but throughout the country.

We wanted to be in New York City because we know that many of the people here cannot go to Washington. We wanted to get the local testimony. That is why we are here.

Mrs. **Chisholm.** Thank you very much.

Is Mrs. Lily Fok here?

We are running late, so if you could submit your entire testimony and just summarize it, we will place it in the record in its entirety.

[The document referred to follows:]

Prepared Statement of Mrs. Lily Fok, Assistant Coordinator, Title VII Bilingual Project—Building Bilingual Bridges, New York, N.Y.

SUMMARY

I. Statement of problems

1. Since 1965 the vastly increased number of Chinese immigrating to the United States has resulted in the highly visible presence of Chinese children of all ages in the American school system. Department of Immigration figures show that in the twelve months between June 1970 and July 1971 alone, more than 34,000 Chinese entered the United States, chiefly from Hongkong and Taiwan. In the years since, the number has been slightly less. Precise breakdown of where the Chinese immigrants settle is not known. However, it is estimated that some 9,000 stay in San Francisco (the main port of entry), approximately 8,000 a year settle in the New York City area, and large numbers of others find their way to other major cities having established Chinese communities. (Boston, Los Angeles, Chicago, New Orleans, Philadelphia, and the Washington-Baltimore area).

2. In New York City itself, most of the newly arrived Chinese settle initially in the greater "Chinatown" area. This area is partly served by Community School District I, but by far the greater number of Chinese children are concentrated in School District II, where, almost 5,000 children attend the six elementary schools and Jr. High School 65 into which these six schools feed. In these seven schools the latest census figures show a range of from 99% Chinese in P.S. 23 to a low of 32% in P.S. 126. The average is closer to 50% or better in the group of schools as a whole. District Two itself extends from upper Manhattan to the Bowery, with Chinese children in every one of the 28 schools in the district. Out of a total of some 21,600 children in the entire district, Chinese children represent almost one-quarter of the total, 22.22%.

II. Needs

The majority of Chinese children arriving in this country do so with little or no knowledge of English, and even those who can make themselves understood, are greatly handicapped not only by language difficulties, but by the strangeness of their new environment. Intensive efforts in English language programs for the new arrivals help to fill the void, but, all too often, while the child is concentrating or learning basic English, he is falling behind in his studies, and forgetting what he has learned before he came. The problem is particularly acute for teen-aged children who enter the American school system with a background of intensive scholastic effort in the Chinese school system, either in Taiwan or Hongkong. This often sizeable academic achievement is of no use to them at all in their new environment so long as they cannot speak or understand English. During the process of mastering English, the daily frustrations and disappointments of not being able to communicate, and the inability to master the subject matter so familiar to their American peers tends to bring about total discouragement and all too often they drop out of school to take up a menial job, or worse, to join one of the ever-multiplying street gangs of the Chinatown area.

Needed for these children are bilingual programs, a proven effective means of meeting the problems of the Chinese child, particularly when simultaneously associated with an intensive ESL program. With the bilingual approach, the child, regardless of his age, is able to continue to learn in his dominant language—the language spoken in his home and the immediate neighborhood—and along with the continuation of his studies, wither at a beginning level, or continuing from where he left off in his homeland before entering this country, the child finds himself simultaneously learning the equivalent in English. The process of learning English is greatly accelerated as the child works with a known medium, and an added bonus to the child in his ability to stay close to or equal the progress of his now companions in the schoolroom in their academic achievement.

Much greater efforts must be made in bilingual education for Chinese children. A current program (Title VII) now operating in P.S. 2 called Building Bilingual Bridges, and with which I am associated, represents almost the entire effort for true bilingual assistance for the more than 5,000 Chinese children in the city of New York.

This program is now in its 5th and final year, and, unless renewed, or a new program funded, bilingual instruction for Chinese children will almost disappear. A proposal has been submitted to Washington covering the 7 schools of District 2 in the Chinatown area. Hopefully this will be funded, and will service—in large numbers—the needs of the Chinese children in this immediate area. However, there are wider needs, for the city as a whole and other cities in the state of New York as well as the entire country. The needs of the Chinese child in bilingual education are not being met nationally, or only attempted on a very small scale, such as in Boston and to a greater extent on the west coast.

Intensive efforts must be made in the recruiting and training of Chinese bilingual teachers. Intensive efforts must be made in the development of bilingually oriented instructional curriculum. Almost none is in at present. Intensive efforts must also be made in solving the problems of placing Chinese children in school, particularly those with a well-advanced Chinese education. Currently, placement is carred out simply on the basis of age, and the placement in a class or grade with children of the same age. Efforts must be made to evaluate the curriculum of Chinese schools in Taiwan and Hongkong so that a proper comparison can be made in determining a comparable standing in the American school system. Batteries of placement tests should be available (bilingually prepared and recorded on tape) so that school authorities in even the smallest school can correctly evaluate the child's educational achievement.

As more Chinese continue to come to the United States, the needs of the Chinese child will continue on an ever-widening basis and will not be limited to San Francisco or New York City. These needs, in all the areas mentioned above, make the further funding of Title VII mandatory. We strongly support this Federal backing of education for the ethnic child since at the State and local level such money is not forthcoming, or only in miniscule amounts. Only as the Chinese child is able to learn bilingually can he acquire the education that is his right. Only in this manner can he get a fair and equitable share of the school day and his teacher's time. We strongly urge the continuance of Title VII funding both now and in the years ahead.

STATEMENT OF MRS. LILY FOK, ASSISTANT COORDINATOR, TITLE VII BILINGUAL PROJECT—BUILDING BILINGUAL BRIDGES, NEW YORK, N.Y.

Mrs. Fok. My name is Lily Fok. I am the assistant coordinator of a bilingual program which is called Building Bilingual Bridges. It is located at P.S. 2 in Manhattan. I will take a very short time just to say what the Chinese children in New York City really need for bilingual education.

Before I talk about bilingual education I would like to mention a few facts about the populations of Chinese children in the school system. Since 1965 there was an influx of Chinese families coming into this country under the Refugee Act.

Therefore, there are a lot of Chinese children in the public school system. By the Department of Immigration figures it shows only for a 12-month period between June 1970 and July 1971, there were 34,000 Chinese entering the United States.

They came chiefly from Hong Kong and Taiwan, some from Malaysia and other parts of Asia. But the figure has been likely decreased. Where those immigrants have settled down in the country it is hard to say, but the main port of entry, of course, is San Francisco. It is the door open to the Orient.

According to the figures there are about 9,000 of them staying in San Francisco. Then about 8,000 are in New York City. The other cities where the Chinese are, are Boston, Los Angeles, Chicago, Philadelphia, New Orleans, and the Washington-Baltimore area.

In New York City the Chinese mostly settle in the area called Chinatown, which is in the southern tip of Manhattan. Of the schools around that area, some of them belong to district 1, but most belong to district 2.

There are about 5,000 of those children attending the six elementary schools and one junior high school that belong to district 2. The percentage of the Chinese children will range from one school, which is in the heart of New York City, P.S. 23 that has 99 percent Chinese children, and another school which is a little further from Chinatown that has 32 percent Chinese children.

So, the average of Chinese children for each school is close to 50 percent. This district has a very large boundary. It is from the Bowery up to the West Side of Manhattan. Within this boundary there are 28 schools and there are Chinese children attending each of these schools.

Out of the total of 21,600 children in the entire district Chinese children represent almost one-quarter of them, which is 22.22 percent.

Now we come to the needs of the children. Of course we can see for the newcomer, those who are of school age, their big need is to learn English and to make themselves understood among the other children and to get settled down in this strange world.

We have an intensive English language program for the new arrival, but besides learning basic English, he begins to feel he is going to fall behind in his studies and he is going to forget what he has learned before he came.

The problems for the teenage children are particularly deep. If they cannot catch up with what is going on in the classroom, if they feel they cannot fit into that situation, the new environment, they will lose their interest in learning and gradually they will become dropouts.

Therefore, during the process of mastering English, the daily frustrations and disappointments of these children are very deep. What do these children need? A bilingual program.

We can prove from our experience besides using the bilingual approach an intensive ESL program, which is learning English as a second language, is very helpful. With the bilingual program the child is able to continue to learn in his own native tongue, the language that he speaks at home and the language that he uses in the neighborhood.

The child, besides learning in his own tongue, he will progress in the English language. Bilingual education for Chinese children happens to be going on in one school only in the Chinatown area. This is called Building Bilingual Bridges and it is now located in P. S. 2. That is the main title VII program that will serve the 5,000 Chinese children in that area.

This program now is in the last year, the fifth year of funding by the Government. Unless there is a new program funded the bilingual instruction for Chinese children will almost disappear soon.

Of course, we have made a proposal for a new 5-year program. Hopefully, this will be funded and will serve the needs of more children than in the immediate area, because besides New York City there are other cities in New York State that have a lot of Chinese children attending.

Another need for this language program is to recruit and train Chinese bilingual teachers. We know there are more schools that will need bilingual education. If we don't have enough teachers we cannot meet the demand.

One more important thing we have to take care of is to develop the right bilingual curriculum in both Chinese and English. If you go to all the leading publishing companies you can find other materials available but none of them is available in Chinese and English.

In this program I am working in we have to develop our own material, which is a burden on all the staff and we have to strive so hard from day to day. If we can have someone who has funds available just to develop this material that would be very, very helpful.

Another need is to evaluate the children that have come to this country from other lands because right now we can only place the children by their age. Certain ages have to be put in certain classes. Other than that there is no other measurement you can take for a Chinese-speaking child.

We have to solve the problem of an appropriate testing system to test those children. They can do very well in all the subjects except language, so it is not fair to place them with some bottom class or retarded group, which is very bad for the child.

In connection with the evaluation, we need the right testing measurement for these children.

Last, but not least, in talking about bilingual education, we must talk about the bicultural approach. When the emphasis of bilingual education is mentioned one cannot omit the other important half, which is the bicultural.

Language and culture are inseparable. Chinese culture is nurtured through a long history of 5,000 years. The children who were born in this country, as well as those Chinese children who came to this country from Hong Kong or Taiwan, need to know their cultural heritage and to preserve it and to be proud of it.

In conclusion, I would say as more Chinese continue to come to the United States the needs of the Chinese child will continue and will not be limited only to San Francisco or New York City.

These needs, in all the areas mentioned, would make the further funding of title VII mandatory. We strongly support this Federal backing for the ethnic child since at the State and local level such money is very little.

Only as the Chinese child is able to learn bilingually can he acquire the education that is his right. Only in this manner can he get a fair and equitable share of the school day and his teacher's time.

We strongly urge the continuance of title VII funding both now and in the years to come. Thank you very much.

Mrs. CHISHOLM. Thank you very much.

I have one basic question I want to ask you. We have been reading a great deal in the papers, particularly in the past few years, of the many difficulties with the Chinese youth in Chinatown.

People have long recognized that the Chinese youth seem to have been one of the disciplined youth in this country for a lot of reasons; family background, cultural, what have you. Now we tend to hear about truancy and misbehavior. Is there any relationship between the educational programs, or the lack of educational programs, with respect to the rise of this Chinese truancy problem that we have been getting more recently?

Mrs. FOK. I would say truancy would occur mostly in junior high and the high school level, not on the elementary level. I just mentioned about the teenagers. They cannot adjust themselves without the help of bilingual education.

Mrs. CHISHOLM. Thank you very much.

Our next witnesses are Father Poulos St. Demetrious, John Kaiteris, Milton Mayeusky, Constantine Georgiou and Simeon Haritos.

STATEMENT OF FATHER POULOS ST. DEMETRIOUS, GREEK ORTHODOX CHURCH, ASTORIA, NEW YORK; JOHN KAITERIS, DIRECTOR, HELLENIC AMERICAN NEIGHBORHOOD ACTION COMMITTEE, MILTON MAYEUSKY, DISTRICT 30; PROFESSOR CONSTANTINE GEORGIOU, NEW YORK UNIVERSITY; AND SIMEON HARITOS, COORDINATOR HANAC

Father ST. DEMETRIOUS. We are happy and grateful to you for your presence. When I first heard you were coming here I said, "Thank God we have people who understand us." For years now title VII was something for which everybody was proud and grateful.

I asked yesterday how much money was spent or was going to be spent during this coming school year in the metropolitan area. They told me $4 million. I am sorry to report that not 1 penny has been spent or is going to be spent for the Greek-American children from the city of New York.

Mr. BIAGGI. Excuse me for interrupting. I would like to supplement your statement. Not 1 cent has been spent for the Greek-American children in the United States of America. I am going further.

Father **Demetrious.** We are in a very peculiar situation. This happens for two reasons, first of all, because we don't like to make noise; second, because we trust our leaders, those whom we elected.

Somehow, as we pray to God for good weather we pray for good laws for our people. Four years ago the Hellenic Society faced, with different departments of the city, a strange situation. We were speaking about our needs and they were very cool.

They said, "Why do you have this attitude?" They were sincere enough to tell us that their statistics did not prove we are right, so we had to do some homework to help the responsible people of our city to realize our needs.

Later, Mr. Kaiteris, from the Hellenic organization will say something about the Greek-Americans in the five boroughs of our city, but I would like to say one thing.

Because of this attitude of our city leaders I had to do some homework in the immigration office. I found out that since 1969, every year 22,500 Greeks establish their residence in the five boroughs of New York City, so if the Chinese have throughout America 32,000 and we have here 22,500, you can understand our needs.

But still, these needs were not felt by the responsible leaders because of the statistics which were available. Now let's come to that particular problem for which you are here, the educational problem.

I was very offended and unhappy when I was told by representatives of the city's local boards that we have bilingual programs. What do we have?

Another element is that communication between the board of education and the different local boards of education is such that the actual picture of the schools is not known to the responsible official people.

I will give you one example. Take the 141 junior high school. They established a bilingual program. One teacher teaches approximately 100 or more Greek-American children without any knowledge of the English language.

From the first of November until the end of February we had 27 new students from Greece without any knowledge of English. So we had one teacher, and what they had accomplished previously, because of the presence of so many new students, is lost.

And the worst is that this program, which is called bilingual, is funded by money given from the city and we are not sure this money is going to be available for the coming school year.

I was asking why, if our country is so sensitive and spends so many millions for our children, why Greeks are discriminated against. The answer is Greeks have no legal existence. The term minority does not include them.

We are grateful because you are here. I think today is a great day for all of us: not Greeks, or French, or Italians, or Yugoslavians, but for all those who have great needs. But they don't believe in apparently what is the style of our age, to make noise.

I have the honor to know each one of you and we are grateful to God because you are here and you are where you are. Please take care of all of us. Thank you.

Mrs. **Chisholm.** Thank you very much.

I think you were here when I put this question to another group. Would you feel we should have some kind of census or enumeration of the kinds of children going to the local public schools in order to be able to use the limited funds?

Shouldn't we use that kind of criteria to be able to reach those children at a very early age? Would you agree that local school boards be given that responsibility?

Father St. Demetrious. That is a very wise suggestion. Here we have not a bilingual phenomenon. We have a polyglot phenomenon. Somehow the new law, the law with amendments——

Mrs. Chisholm. In other words, the blanket approval of bilingual appropriations should not be left on the books as such. There should be some specific guidelines to make sure that the children in these concentrated, Greek, Italian, Spanish, whatever the case may be, the local school boards should have some way. You would agree with that kind of concept?

Father St. Demetrious. Wholeheartedly.

Mr. Biaggi. Thank you very much. Your concepts are well stated. We are familiar with the problems. As I said earlier, it is intolerable, in my judgment, that any one group should be completely ignored.

Sometimes that occurs inadvertently. Ofttimes, it is the result of apathy and inability to prepare a proposal and pursue it. When you see that condition on a nationwide basis then you have to look to Washington for those responsible for administrative programs.

In testimony in the Education and Labor Committee, where I sit, we were able to obtain from the Office of Compliance from representatives of HEW and the Department of Justice, the concession that there wasn't a single program for Greeks, for Italians, for Albanians, and for many others.

In some areas there is only token representation. Even more important than that is there was no official action taken by the Office of Compliance to see that the law was enforced properly. That is more important.

It led me to believe it wasn't just an oversight, it was blatant discrimination. I say it now and I will say it until it is corrected. The problem here is not so much the efficacy of bilingual education. We agree on that.

The question is the expansion of it and the moneys appropriated. My colleagues represented here certainly advocate greater sums of money being applied.

It should be recognized in some measure, as testimony here, has shown there is an area in Brooklyn where the Italian population has no program and in that same area the Spanish population has no program.

There is something awry with the administration. I don't know that we will be able to provide for every child. Certainly it should be our objective. I would simply say to you if you prepare a proposal and you submit it, I strongly suggest you let us know about it and we will pursue it.

We are pretty certain why HEW doesn't respond. I know we have other representatives here who will talk to you.

Mr. Badillo. I am grateful to you for being here because we want to dispel the notion that bilingual programs are only for Spanish-speaking. The law says "bilingual." It covers all the groups in this country.

That is why we wanted to have a public hearing in New York City, because we can get so many groups that need bilingual programs. We feel it is important to have your testimony because, in fact, even for Spanish-speaking people, less than 3 percent of the Spanish-speaking children from New York City today have bilingual programs.

We need to get it for everybody, and the best way is if everyone works together. That is why your testimony here can be very important when we go back to Washington.

Father St. Demetrious. Thank you.

Mrs. Chisholm. Are there any persons on the panel who would want to make a brief comment?

Mr. Georgiou. I am compelled to answer the question raised by Mrs. Chisholm because in my work I have found that to be the most important question that arises. There must be a clarification, a clear-cut description of the population, a sharpness and awareness as to who these children are. We need to know their specific needs, and not a blanket statement that we will cover all of them.

This is what was wrong with many of the programs I supervised which failed. The focus of the objectives isn't clear enough. The awarness of the people who are working in the programs as well as the legislators is not of the nature that facilitates zeroing in on the programs in such a way that the children receive optimum benefits.

This, I am afraid, has been a very tragic and rather misleading kind of thing. Clarification in terms of what are the specific needs of this particular minority group and how can these moneys service these children is necessary.

I don't think there is a single formula. I was quite discouraged when suggestions were made in terms of using discouraged when suggestions were made in terms of using blanket statements, blanket prescriptions to cover all children, minority groups, and so on, across the board.

I think there needs to be an investigation of particular needs, specific requirements, and a broadening of the base for the moneys to be used in the particular groups and these particular schools.

Mr. Kaiteris. I would like to comment on this particular point. In New York City at this time there is an attempt to count and categorize the students who have English language handicaps. I believe it is called the Ability to Speak the English Language Survey, which is given every year.

What it amounts to is an identification by the teachers of the handicaps that students have and are identification of their ethnicity. It is not exactly perfect and it is a rough estimate and I gather the programs in New York City are given out according to that survey.

It doesn't count every ethnic group either. I think it counts approximately seven, but it does give a rough estimate and it categorizes the children into three categories; severe, moderate, and no difficulty.

I would like, at this time, to make a brief statement which represents the views of HANAC, the Hellenic-American Neighborhood Action Committee, which is a citywide organization serving the community in New York City.

HANAC, a citywide organization, was formed in November 1972, in response to the pressing needs of the growing Greek-American community in New York City. It is funded by the City of New York to study the needs of the Greek community and to develop services to meet those needs.

In December 1973, HANAC completed its study on the needs and problems of the Greek-American community in New York City. A major part of the study focussed on bilingual education and English as a second language.

Briefly, the study documented that there are approximately 350,000 Greeks in New York City, along with a yearly Greek immigrant influx to the United States of 40,000, most of whom eventually settle in New York.

Among these Greeks, it would be a conservative estimate to say that 90 percent have a language problem. This is not only a handicap to the adults, but poses a critical problem in the educational process of their children and the difficulty which their children experience in learning English and maintaining a satisfactory academic level of achievement. Their needs have been largely ignored.

The Greek child's educational problem is intensified when one takes into consideration that he or she has already been educated to some degree in an alphabet and phonetics different from those of the English language and the romance languages.

Greek children who master the new alphabet and its phonetics learn to read well, but have difficulty comprehending what they read. This represents special cognitive problems, which we hope to study further.

An additional problem facing the teaching of the immigrant Greek child is that the teacher is handicapped in his or her efforts by the lack of appropriate and sufficient educational materials. The result is that makeshift materials are developed to fill the void.

If intelligent and significant bilingual programs are to be developed it is essential that the necessary books and other learning materials be developed and made available to teachers.

A further need is to recruit Greek bilingual teachers who are familiar with the language and culture of the Greek immigrant child. The bilingual teacher can offer a sense of security to the child which comes from an understanding and acceptance of his origins.

Greater attempts must be made to reach out and involve the immigrant parents in the education of their children. The question of cultural background is important in assessing the younger child's school adjustment.

At the HANAC office, there have been a number of cases where concerned and sometimes outraged mothers came to us to complain that their children have come home from school saying, "I wish I did not have to be Greek."

To us, such incidents are symptomatic of the fact that in the cultural and educational patterns in our schools, there are elements which fail to preserve the pride and dignity in each child's feeling towards his own identity and ethnic roots.

HANAC's studies repeatedly uncovered the fact that the Greek immigrant child was not a disciplinary problem in the sense of being disruptive in the classroom, although these are beginning to appear in greater numbers at this time.

To the contrary, the Greek child was described as being shy, and often withdrawn. It has been suggested that this is a cultural reaction for the Greek child in response to the frustrations he faces in school.

It is potentially more damaging to the child than acting-out would be, as it both hampers his educational progress and at the same time does not focus on the fact that he has problems.

It is HANAC's point of view that bilingual studies, plus auxiliary programs for the child, would act in a therapeutic manner to overcome the psychological problems before they become too serius.

The recent *Lau* v. *Nichols* Supreme Court decision points up the discriminatory nature of an educational system which does not provide a bilingual program for a non-English-speaking minority.

At this time in the New York City public schools 96 percent of the non-English-speaking Greek children are being denied the full benefits of public education. Based on HANAC's findings and evaluation of present conditions it recommends urgently that immediate steps be taken to correct the present state of affairs.

Specifically, HANAC recommends: 1. The establishment of the position of a New York City coordinator of Greek bilingual education. The purpose would be to insure the beginning of a comprehensive citywide approach to meet the needs of the Greek-speaking child. 2. The exploration of potential funding sources on the Federal, State, and city levels. 3. The formation of organizations of parents to become involved actively in the education of their children. 4. The institution of an intensive and extensive recruitment of Greek bilingual teachers. 5. The development of Greek bilingual educational materials.

An area of great concern is that legal requirements may be acting to prevent needed programs from reaching a minority differentiated by language.

At present there is not one Title VII bilingual program for Greek children in the entire Nation. We respectfully submit that more can be done in behalf of the Greek child who presently is being educationally disadvantaged for lack of such programs.

Rather than look backward, HANAC would suggest that we begin to formulate the means by which such programs can be instituted in the schools.

In passing, it should not be overlooked that there is a proportionate need for bilingual education in the adult community of the Greek-American immigrants as well as among their children.

It would seem to be incumbent upon the Office of Education, Department of Health, Education, and Welfare to investigate the needs expressed by the community and then take appropriate action to fulfill those needs.

Between HEW, the local boards of education and the community, it should become apparent that it is possible to work out a program conforming to the law and satisfactory to the Greek-American community.

In other words, if there is a real need, it should be recognized as such. The subcommittee surely can revise existing legislation to implement these proposals.

We at HANAS put ourselves, our experience, and energies, at your disposal, with the fervent hope that an early conclusion may be reached in order to develop better conditions of learning for the children of the Greek community.

Thank you.

Mr. BADILLO. Thank you very much. I just want to make one comment. I have found the best way to move ahead with all your recommendations is, as Congressman Biaggi said, to file an application.

Mr. KAITERIS. Applications have been filed.

Mr. BADILLO. I think what we can do on the Federal level is work with you through some of those applications.

Mr. BIAGGI. I would like to thank you for your comments and your presence. One thing I promise you, there will be a change in HEW and the Office of Compliance. There will be a more equitable distribution.

What we really hope for is greater sums of money.

We will take a recess now. Our reporters generally work with relief in Washington. She has been doing a yeoman's job all by herself. It is a physically impossible situation. We are grateful and will give you a 15-minute recess.

[A 15-minute recess was taken.]

Mr. BIAGGI. Our next witness is Dr. Shih.

STATEMENT OF DR. HSING JU SHIH, CHINESE BILINGUAL EDUCATION COORDINATOR, SCHOOL DISTRICT 2, NEW YORK, N.Y.

Dr. SHIH. I just want to make a few points. My name is H. J. Shih. I am the Coordinator of Chinese Bilingual Education in district 2.

I just came here on May first. Before I came to district 2 I was a bilingual teacher in district 1. For 4 years I was a bilingual teacher in Junior High School 65, also district 2.

From this experience I have something to point out to you Congressmen about Title I and Title VII money. This impressed me very much for the last 4 years because for the Title I money this program is not very stable.

I was 4 years as a teacher. Every year before the end of the year there were rumors of cutting of Title I money, so the people who worked in this vital funded program did not feel stable.

So every year my heart beats because I thought I might lose a job. But for the last year the Title I money was cut and I lost my job, so I moved from district 2 to district 1 and found a teaching job there to teach bilingual education.

In district 1 I found another problem. There is one teacher who has a regular license and others who don't have the regular certificate. They have the competency license. This teacher works every year. She say I want to be appointed as a teacher so I feel stable to work as a career in bilingual education.

And the coordinator of that program in district 1 said, "How could I recommend to give you an appointment because this Title I money, each year we have a proposal." I don't know whether that program will be continued in the next year.

And this teacher feels very dissatisfied, so she says, "I want to go to some other job because if I stay here, every year I have to think to find a new job." I would recommend that the Title I or Title VII money, make it as stable as possible. Make it on a year-by-year basis so that the teachers work here as a career and they feel stable, and the schools can appoint a teacher if a teacher is qualified. That is one thing.

The other thing—As I taught in the bilingual class I found out all the other children, Spanish, Italian, they don't speak English, but the Chinese children are very special. The problem is this; children in Taiwan, starting from the 1st year junior high school they begin to teach English and the children who immigrate here, some of the kids come back here in the fifth grade, some in the sixth grade and I taught two sixth grade kids in district 1.

These school kids come to my class. I have to teach them A, B, C, D. Imagine these sixth grade kids, we put them in P.S. 63 in the sixth grade class. They sit there and don't know anything. They are just looking around.

I have to take them out two periods a day to teach the kids English. So, we say the foreign children do not have English, but by degrees, with Chinese it is worse. They haven't even learned A, B, C, D.

We have two groups of children from Hong Kong. One group learned some English. The other group goes to Chinese or English school. The English school means they go to a school with English, but in a Chinese school they don't have English at all.

They come here, just like the Taiwan kids. They don't know anything in English. This is the worst of all. There are other kids who speak some English but have a very peculiar accent and nobody understands whether they are talking English or not.

They can read, but the accent is entirely different. In such cases the bilingual classes are very fundamental. It is vital to the kids in cases like this.

I was in Junior High School 65 as a bilingual teacher. Each day, when the teachers want to call the parents, come to me to write a letter to the parents or to talk to the parents. Those kids, we find out, not because they are bad kids they don't study, but because they were handicapped by the language.

In Chinatown they have street fighting and every year those kids, I find out, are from Junior High 65. That is my school. Most of the kids, I know their names. Why? Because they have a hard time in class.

They say junior high school does not need a bilingual teacher. Bilingual teacher is only for elementary school. That is the story.

Mr. Biaggi. Early on, Mrs. Fok testified that bilingual programs would have a salutary effect on dropouts and on the difficulties the young people have in the street. Don't you agree?

Dr. SHIH. Yes, because in that bilingual class, one thing you teach the kids, English or other lessons. I explain it in Chinese and the most important thing is the emotional. The kids come to me to complain. He has a place to complain.

He is isolated. It is very important. I am a bilingual coordinator in district 2. District 2 has six elementary schools and the one junior high school, about 10,000 Chinese kids.

All the other schools have bilingual classes and this district has not even started, only P.S. 2 has one or two classes. All the other schools have no bilingual classes.

Mr. BIAGGI. We do agree. It is the thrust of this committee that all programs should be expanded.

Dr. SHIH. Each school of the Chinatown schools made a proposal. Until now we haven't got an answer. We don't know. So the Chinatown community people all ask me, "How about this year, are we going to have bilingual education or not?" I said we are waiting.

Mr. BIAGGI. That is one of the purposes of the hearing. I would suggest that you write to the committee about your proposal and we will do the very best we can.

We want to thank you for testifying.

Dr. SHIH. Really, every ethnic group needs bilingual education, and the Chinese most, and we are lagging far behind.

Mr. BIAGGI. We will see that you get caught up. I am advised by the principal that we had this auditorium until 12 o'clock. We are well beyond that so we will try to get to our next witness as quickly as possible. Thank you very much, Dr. Shih.

Mr. BIAGGI. Our next witness is Miss Carmen Rodriguez, community superintendent of School District 7 of the Bronx.

We want to welcome you, Miss Rodriguez.

STATEMENT OF MISS CARMEN A. RODRIGUEZ, COMMUNITY SUPERINTENDENT, COMMUNITY SCHOOL DISTRICT 7, BOARD OF EDUCATION, BRONX, N.Y.

Miss RODRIGUEZ. I am asking my assistant to give you a copy of my verbal statement. You will be receiving an extensive document which includes some hard data.

I want to particularly thank the members of the committee and the chairman of the committee for providing this opportunity for me to share some of the concerns that we have in district 7 with bilingual education.

As a Puerto Rican and as an educator who has been deeply involved and deeply concerned with the issues and the problems of educating youngsters whose language is other than English, I am very grateful for this opportunity.

I think it is only appropriate because district 7 has been in the forefront of developing instruction for youngsters whose language is not English. As you know, district 7 began the first northeast regional school or regional approach to bilingual instruction of youngsters, and it was only 5 years ago that the first bilingual school was established in the City of New York, so I think we are particularly proud of that happening 5 years ago.

We began with P.S. 25, which was the first bilingual school in the city, and it is unique in that we have not been using Federal funds to support this idea since the idea was a true necessity because we felt that it was beneficial to our youngsters.

We began using tax levied funds. Obviously, since the amount of money that the district receives is so small, we have had, by necessity, to seek other funds, both Federal and other funds available to us.

At the present time we are using a multifunding approach to bilingual education within the district. We not only explore bilingual education for the elementary school youngsters, but we also are now, in the last year-and-a-half, developing a junior high school approach in an effort to serve the needs of our community.

Our breakthroughs have been in many, many areas. We have developed curriculum materials and I think that the district has, through its Curriculum Adaptation Center, been in the forefront in establishing new trends in education, providing curriculum materials, and training teachers who are going to be using this new approach.

We have been involved in innovative management procedures. We are currently involved in working with new prototypes, including a bilingual open classroom environment. We are also working with bilingual instruction for the mentally retarded youngsters and we are hoping, with some assistance from you, to explore some new avenues for youngsters who are emotionally disturbed, for youngsters who are in need of specific training, and specifically for youngsters who are what we call the neglected youngsters in the district who are intellectually gifted. We have not been able to cope with these problems at the present time.

The district, as I indicated, has a multifunding pattern and we have developed a comprehensive plan for servicing the many, many youngsters in the district.

May I take just two minutes to talk about the population of district 7? District 7, as you know, is located in the south Bronx. It is predominantly a Spanish-speaking community. I just provided some information for you of the population within the district.

If you look at a chart that we have, you will note that of the 2,500 youngsters within the district, in a recent study that we made, 43 percent of the youngsters are speaking in category 1 or 2.

I spell them out so that you know that the youngsters either cannot speak English or speak English so haltingly that they are not able to be instructed in English. Forty-one percent of our youngsters are in need of specialized instruction.

The next two pages indicate what happens to youngsters in terms of reading and in terms of math. As you can see by the chart, the problem gets progressively worse as the youngsters move up the grade level; unless we provide specialized instruction, the retardation becomes more severe.

This will be, in my additional testimony, charted out for you so that you can then judge this in terms of the needs we have in the district.

Our youngsters, as they progress in school, certainly are much more retarded, and by the time they get to the junior high school level it is no wonder that they drop out. They don't have the skills that are necessary for them to succeed at all levels.

I am particularly interested in sharing with you the fact that we are a laboratory for bilingual education. We are visited by people, locally and nationally and internationally, and we are very eager to share because we feel that the program is an appropriate one. We feel it is a necessary one and we would like very much to continue this.

We are examples of the four different models that are part of the New York State Statement of Policy, Position Paper No. 16. We have the four models in the district but we feel we also have one that is traditional.

That is a true bilingual-bicultural approach that is not compensatory, because most of these programs are compensatory, and it is not transition. Our philosophy is that where we require youngsters in the high schools to be fluent in the language, where we would require students in college and those who are going toward a doctorate degree to be proficient in a language, we could not develop a compensatory program.

The need is to continue the language so that by the time the youngsters gets to the college level, hopefully, he will certainly be fluent and be able then to progress and become the PhD's that we need in the community.

Mrs. Chisholm this morning was concerned about the absenteeism. In the two bilingual schools that we have, although the youngsters are enrolled voluntarily, and in most cases some of them are bused in and some of them have to take local transportation, our attendance figures in those schools are much higher than in the local school youngsters normally attend, so that although they have several handicaps—they have to travel a long distance—this has not affected attendance levels.

The academic achievement of the schools, as you will note in the last New York Times release, indicates that the district also is improving in terms of reading and math and that the trend is going up with, hopefully, the impact of bilingual education in the district.

I have been extremely fortunate, and this is something that concerns me for the future because Federal funds are not appropriated for any length of time. It is on a two-year recycling.

Last year I was able to expand our bilingual programs because the Emergency School Assistance Act provided to close to a million and a half dollars. I was able then to add additional positions to all of the schools and provide for the needs of the youngster.

Later on in my statement I will tell you why this is so significant because we are really, in terms of the district, unable to provide for the needs in terms of the contractual agreements that we have and in terms of excessing patterns, our bilingual teachers are the last to be hired and the first to be fired.

This has various implications. We feel that the community participation has really been expanded, and district 7 prides itself in its community involvement through bilingual programs being designed and several other programs we have.

Parents are actively involved. We are now exploring opportunities with colleges to develop bilingual programs that will be given within the district. Colleges such as LaGuardia are helpful to develop programs with parents and teachers.

They need not travel out of the district to further their own education. Our youngsters, we feel, are being served with more dignity. Certainly they are achieving better, and I think most of all, the attitude has changed.

Children are capitalizing on the advantage of being bilingual and bicultural, and also developing a much more positive image. I don't feel that we have had the difficulties that other districts have had in terms of community problems, in terms of problems within the school setting.

I think that if you look at the record, district 7 has been a rather quiet, slow-moving, but certainly moving, district. We have not had riots in the schools. We have not had riots in the district, and that is a credit to the kind of involvement that we have.

If I may now I would like to go into some of the shortcomings that I see and that I feel you may be supportive of. I have indicated that, habitually, funded programs are approved very late. As a result, we at the district office have severe problems to deal with.

Since we are notified so late, the recruitment aspect of the program becomes intolerable. Our personnel must wait, and the gentleman before me suggested that there is such insecurity in terms of these programs that many people do not want to risk being out of a job by assuming this kind of responsibility.

So our qualified teachers look for permanency, and they don't wait around until we can give them a yes or a no. They seek that permanency and in many cases where we train teachers, they go on to other districts within a permanent situation.

In terms of the acquisition of materials, if the money comes in late, we certainly cannot buy the equipment on time. We cannot make that commitment until we have a hard and fast commitment for money, and it means that our requisitions go in late and our equipment, for the most part, comes in after the fact.

It comes a year later. It comes months after the program has been initiated, and the youngsters don't have use of either the books or the hardware that they must have in order to improve their skills.

The second area is the area of curriculum development. In that area I think we are missing the boat. I don't really feel we are doing enough to provide material in Spanish for youngsters we are attempting to serve .

There isn't enough material, and I think some thought has to be given to both supporting those programs, whether it be CANBE or any other program that is developing materials, so that they do this and have the material available to both teachers and supervisors.

The third point is the whole area of staff development and teacher training. The graduate programs are not really developing at a fast rate. For the number of teachers we need in this area, ongoing training must be provided.

We are hampered within the district situation in providing teacher training because this has to be done with paraprofessionals. During the school day you neither have the personnel to relieve them nor do you have the time for them to be trained. You have to consider some ways in which we can provide additional positions so that teachers can be adequately trained.

The area of recruitment is one that is extremely difficult. I know that some statements have been made with reference to the fact that people can be certified in the normal way.

But I want to call your attention to something we are particularly upset about. It is hard to deal with because we are expecting superhuman beings in our bilingual teachers. Not only do they have to be proficient in English but they also have to be proficient in Spanish.

That means they must speak in Spanish equally as well as in English. But we add an additional burden, and that is that that person must also have some proficiency in skilled areas. He must know the curriculum. He must be able to be certified in that area and then we go on to the next step, to the junior high school level.

In basic areas such as home economics, for example, or music instruction, there aren't enough of these people who have, in those skilled areas, the expertise and proficiency for them to be certified.

So I think we have to take a good look at how teachers are being certified and what we are expecting from human beings who are going to be exposed to this bilingual approach.

Another area we feel strongly about is that many of the youngsters who are bilingual are being excluded only because we cannot provide services in certain areas.

They are excluded from such things as industrial arts, again, because we don't have teachers who have proficiency in that area. They are excluded from music, drama, physical education, and also the library because the personnel is not there to meet the needs of the youngsters.

I have three more items to go over. The area I alluded to before, the area of the atypical child, that is, an area we have not begun to deal with, we do not have either the curriculum materials developed or the personnel developed to deal with youngsters who are mentally retarded, emotionally handicapped or physically handicapped, or the gifted.

In closing, I would like to say that I would like to see some security in terms of the funding source. If it is going to come, let us know several months in advance so that in planning for the future I can give a commitment to people and indicate that they will be working.

Second, I would like to see for the threatened majority—and by that I mean teachers who are currently certified, who have tenure, who have expertise, who should not be threatened by bilingual teachers~~,~~—some sense of support for that group.

We have been working very nicely in the district. We appreciate the skills that teachers have but certainly we can say to them:

> We are not doing your job. The bilingual program is a viable program, it is a needed program. We are not displacing you.

We have commitments in other areas, and these programs will be continued. I think the harmony that is needed for any program to be effective will be there, and I call on you to see that ESEA, title VII, and all of the other funding sources get the kind of backing that will support our efforts.

I thank you.

Mr. Badillo. Thank you very much, Miss Rodriguez. I would like, at this point, to include your full testimony in the record.

[The document referred to follows:]

Prepared Statement of Carmen A. Rodriguez, Community Superintendent, Community School District 7, Board of Education of the City of New York, Bronx, New York

I am Carmen A. Rodriguez, Superintendent of CSD 7. It is particularly appropriate that District 7 be represented in these hearings since District 7 has long been in the forefront of bilingual program development and implementation. I would like to capsulize, for your benefit, where we are today and provide recommendations to consolidate and sustain the positive outcomes of our efforts.

Specifically, we started the first bilingual elementary school, P.S. 25, in the Northeast Region, and more recently, a bilingual intermediate school, I.S. 38. Of necessity our breakthrough in Bilingual Education has had to include initiatives in curriculum and materials development, teacher-training, innovative management procedures, prototype classroom styles, supervisory and paraprofessional staff development, redirecting pupil personnel services and comprehensive planning. Our efforts in these areas are shared locally, nationally and internationally.

Our district-wide thrust is supported by multiple funding patterns. This approach provides needed outside support and renewed local support.

Our programs are characterized by the four models in the New York State Statement of Policy, Position Paper No. 16. These models are: (1) the transitiinal, (2) the monoliterate; (3) partial bilingualism; and, (4) full bilingualism. Each of these four models is used in District 7. We have evolved the model of bilingual-bicultural education which is neither compensatory nor transitional.

The direct responsiveness to need has produced not only a more stable and growing group of voluntary program participants, but close and continuous parental involvement in school-based activities, advisory boards and planning committees. The positive impact in the home has also spurred bilingual adult education.

We have come a long way. Children are served with more dignity; children are achieving in language arts and across all curriculum areas. Attitudes toward bilingual education are changing throughout the school district. Children are capitalizing on the "advantages" of their bilingual-bicultural heritage and developing an increasingly positive self-image.

There are some shortcomings, however, that improved legislation could remedy. Specifically:

1. Continued and increased funding is necessary to maintain and consolidate new learnings and effective approaches in bilingual education. The conscientous response to local educational neds is but one aspect of the benefits derived from District 7's programs. We serve in a resource model to other districts in New York State, to other states and to the international community. Our experiences, with minimal adaptation, provide valuable resource information on countless others. The commitment to "promises made" has required outside funding in addition to local sources, and, indeed, many have benefitted by our "R&D" program. Although the price tag is temporarily high, we should continue to reduce the effects of minority group isolation and meet educational needs.

2. Habitually, funded programs are late in being approved. Advances in ongoing evaluation and comprehensive planning are minimized by late notification. Hence, staff reciruitment, materials procurement and local admiinstrative cycles compound late implementation.

3. Curriculum development requires improved and direct support. With few exceptions the bilingual classroom teacher has to select, evaluate, develop,

translate and adapt appropriate curriculum materials in addition to being an effective classroom teacher.

The Teacher's efforts are best employed in managing the classroom. Curriculum and materials development support, as a whole, should be provided by others.

4. Staff development and teacher training requires broad support. Qualified bilingual professional staff are not being prepared at the undergraduate or graduate level in the numbers needed. On-going, in-service training is consistently a necessary ingredient of effectiveness in the classroom.

Recruitment of bilingual staff is complicated by the necessity for proficiency in two languagues, in addition to being effective teachers, and, in the case of the junior high schools, a subject-area specialization.

5. In order to alleviate threatening current staff who feel they may be displaced by bilingual staff, techniques have to be developed to retool these professionals so they can adapt to bilingual programs, and transfer their skills to new programs with reasonable accommodation.

6. Successively improved support is needed to involve parents and the lay public in cooperative and collaborative, learning supportive activities, public education, dissemination and planning.

7. Support is needed to reduce the isolation of second language learners from many school-based activities, i.e., library, industrial arts, music, art, drama, physical education, etc.

8. Program are neded to specifically serve the atypical child in the bilingual mode; the mentally retarded, the gifted and the physically handicapped. The need exists from early childhood programs, through the high school program.

9. There is widespread need for more and improved pupil personnel services to support the native born child of migrant parents, our "neglected majority", if you please. The skills of bilingual guidance counselors, child psychiatrists, and health providers are needed for the enabling supportive services to the developing child, in a trans-cultural setting, as he forges his identity and approaches his full potential.

10. Current programs funded by multiple sources are in jeopardy because of threatened continuation of outside funding. These could not be continued with only tax-levy funding without drastic modification of the current program, necessitating also a reduction of personnel.

ATTACHMENT 1: NEEDS ASSESSMENT, EMERGENCY SCHOOLS ASSISTANCE ACT, APPLICATION, DISTRICT 7, DATED APRIL 3, 1974

INDIVIDUALIZED BILINGUAL/BICULTURAL PROGRAM—SECTION III ITEM 7

Type of Project: *Bilingual.*

Need

To reduce the effects of minority group isolation for Spanish surnamed children of limited English ability by maintaining and developing their cognitive skills in their native language while at the same time increasing their skills in speaking, reading and writing English.

Supportive data to justify need

District 7, located in the South Bronx, contains one of the highest concentrations of Spanish speaking children in New York City. The majority of the children entering elementary schools do not speak English because the dominant language spoken at home is Spanish. In many cases, the Spanish spoken by the children is only functional. In addition, each year approximately 1,000 children enter elementary and junior high schools in the district, newly arrived from Puerto Rico and other Spanish speaking countries.

Table I below represents a school by school summary of the English oral language ability of the Spanish surnamed population of District 7. All students in the district were rated in October 1973 using the NYC Ability to Speak English Scale. This scale has three ratings as follows:

Rating

1—Pupils who speak English hesitantly, or whose regional or foreign accents indicate the need for remedial work in English and/or in speech.

2—Pupils who speak little or no English, whose regional or foreign accents make it impossible for them readily to be understood.

3—Pupils who speak English fluently for their age levels, with no severe foreign or regional accent.

ENGLISH ORAL LANGUAGE ABILITY OF SPANISH SURNAMED STUDENTS, OCT. 31, 1973

	Spanish surnamed				Total Spanish surnamed	Percent rated 1 or 2	Total school registration	Percent of school rated 1 or 2
	Grade span	Number of pupils rated 1	Number of pupils rated 2	Total, 1 or 2				
P.S. 1	K-5	211	98	309	728	42. 4	1, 174	26. 3
5	K-5	175	54	229	588	38. 9	956	23. 9
18	K-6	97	33	130	448	29. 0	944	27. 5
25[1]	K-6	201	148	349	625	55. 8	682	51. 1
27	K-6	167	436	603	773	78. 0	900	67. 3
29	K-5	199	145	344	788	43. 6	1, 135	30. 3
30	K-6	426	175	601	1, 020	58. 9	1, 292	46. 5
31	K-6	54	44	98	396	24. 7	903	10. 8
37	K-6	322	70	392	579	67. 7	720	54. 4
40	K-6	154	180	334	653	51. 1	867	38. 5
43	K-6	289	71	360	786	45. 8	1, 150	31. 3
49	K-6	188	68	256	720	35. 5	1, 227	20. 8
51	K-6	170	74	244	471	51. 8	619	39. 4
65	K-6	316	187	503	964	52. 1	1, 294	38. 8
124	K-6	211	77	288	495	58. 1	733	39. 2
154	K-6	251	92	343	726	47. 2	1, 263	27. 1
156	K-5	54	59	113	429	26. 3	961	11. 7
157	K-6	88	121	209	558	37. 8	909	22. 9
161	K-6	237	114	351	825	42. 5	1, 199	29. 2
I.S. 38[1]	6-8	33	108	141	358	39. 3	433	32. 5
139	7-8	242	21	263	985	26. 7	1, 323	19. 8
JHS 149	7-9	71	2	73	748	9. 7	1, 330	5. 4
I.S. 151	6-8	119	24	143	749	19. 0	1, 458	9. 8
155	6-8	83	200	283	959	29. 5	1, 286	22. 0
162	6-8	95	50	145	803	18. 0	1, 259	11. 5
Total		4, 453	2, 651	7, 104	17, 174	41. 3	26, 017	27. 3

[1] Bilingual schools.

NOTES

Table I lists, by schools, the number of Spanish surnamed children who are rated 1 and 2, the percent of the Spanish surname population which these children represent, and the percent of the total school population. A study of this table indicates that:

1. A large number of Spanish surnamed children are deficient in English language skills and are in need of a special program.
2. The need for a special program is districtwide.

The figures in Table I are indicative of the situation which has existed in this district for a least 8 years. (i.e. the complexion of the student population has not substantially changed in the last eight years.)

Programs have been implemented to attempt to meet the special needs of these children; however, the majority of these programs have used a monolingual approach (English only).

This approach has generally not been effective. The reading scores for the total district population (see Tables II and III below) indicate extensive retardation, especially in the upper grades.

The children who entered the schools with limited English ability and who have received instruction in English have not been able to progress sufficiently to meet either citywide or national norms. In addition, they have lost many of the cognitive skills which they had attained in their native language.

TABLE II

	Mean reading scores—MAT, April 1973				
	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6
School:					
1	2. 5	3. 1	3. 7	4. 8	5. 0
5	2. 4	3. 2	3. 3	3. 8	
18	2. 7	2. 8	3. 7	4. 8	
25	2. 3	2. 8	3. 1	3. 5	4. 9
27	3. 0	3. 2	4. 0	4. 4	4. 4
29	2. 8	2. 8	3. 1	3. 6	
30	2. 6	2. 8	3. 3	4. 2	5. 1
31	3. 4	2. 8	4. 9	5. 6	6. 6
37	2. 2	3. 8	3. 2	3. 3	4. 2
40	2. 5	2. 8	4. 3	5. 1	5. 6
43	2. 8	3. 3	3. 6	3. 9	4. 8
49	2. 8	3. 3	3. 8	4. 5	5. 7
51	2. 5	3. 3	4. 1	3. 9	5. 6
65	2. 7	2. 8	3. 0	4. 3	
124	2. 4	2. 9	3. 6	5. 2	5. 3
154	2. 5	3. 1	3. 4	4. 4	5. 0
156	2. 6	2. 9	3. 6	4. 5	
157	2. 6	3. 0	3. 4	4. 5	5. 2
161	2. 1	3. 1	3. 6	4. 4	5. 1

TABLE III.—INTERMEDIATE SCHOOLS

	Mean reading scores—MAT, April 1973			
	Grade 6	Grade 7	Grade 8	Grade 9
School:				
38	4.1	4.8		
139		4.9	5.4	
149		5.9	6.0	7.1
151		5.4	6.0	
155	4.6	6.1	6.9	
162	4.6	5.2	5.9	

The district has initiated a few bilingual programs in recent years (bilingual schools 25 and 38, Project B.E.S.T., etc.) However, the number of children who are being serviced is small. One of the problems mitigating against mounting additional programs has been the small number of bilingual teachers working in the district. Contractural obligations have made it difficult to increase the number of bilingual teachers in the regular tax-levy program. This year, of the 1343 teacher providing direct instructional services to the children in the district, 129 are bilingual; all others are monolingual. Last year the number of bilingual teachers was 83. The change in numbers of bilingual teachers was due mainly to the present E.S.A.A. bilingual project which provided additional positions. If the funds for this project are not available next year, then the district will lose many of these teachers since 51 of them are on a per-diem substitute status. (Note: By contract, when positions are lost, teachers on per-diem status are the first to be excessed.) By the end of next year a greater number will have attained a regular status and the district will have a greater opportunity of maintaining their services for the children.

Based on the needs assessment, the district herewith proposes a bilingual/bicultural program which will service both English dominant and Spanish dominant children. The activities described below are planned so that both groups will have the opportunity to learn a second language, improve their skills in their own language, learn about the cultures represented in the district, share the skills they have in their native language with each other, improve their academic skills, and participate equally in an integrated educational experience.

Mr. Badillo. I am particularly happy that you testified because you have shown that it is possible to have a district where these programs can be carried out without turmoil. Of course, that district is in my congressional district so I know it means there haven't been problems.

There are lots of problems practically every week. But the point is, it has been possible to solve these problems as we go along. In fact, had we not started at P.S. 25 without waiting for Federal funds, there would have been no bilingual program there.

Because we started our school prior to the time we went to Congress, I was able to use it as an example of what could be done in New York City and as an example of the fact that we needed funding.

We have been able to get additional funds provided to New York City for bilingual education since 1971, and we hope to continue to use the example of district 7 to get money in years to come.

Miss Rodriguez. If I may make a plea, P.S. 25 will be losing, because it is the end of the 5-year cycle in its funding. I think that the city and our elected officials have a responsibility to continue it.

I feel that many innovative things are going on in the school. We certainly have produced leadership in that area. As you know, Mr.

LaFontaine was the original principal of the school and he is now heading the citywide thrust in this area.

I feel that some commitment has to be made there so we can continue developing the kinds of programs that we have there. I will call on your assistance, if I may, in that area.

Mr. Badillo. We have recognized the need to have budgetary reform in Congress and to pass a bill which is now in the House and Senate to establish a joint committee for budget procedures to insure that in all areas, not just in education, there will be funding for a reasonable period of time.

I have asked to be on that committee if the bill is approved, because my background as a certified public accountant can help see to it this matter is speeded up.

Miss Rodriguez. I thank you for your continued support. You have been very responsive to us.

Mr. Badillo. I would like to call on Mr. Frank Nieves of the school board.

STATEMENT OF FRANK NIEVES, MEMBER, SCHOOL BOARD NO. 6, NEW YORK CITY

Mr. Nieves. Thank you, Mr. Badillo. My name is Frank Nieves. I am a member of Community School Board 6. I have served in this capacity for the last 4 years. This is my second term in the office.

Today I have come here though I find it very difficult in terms of my working hours, but I felt it a moral obligation to come here because of the fact that I am a school board member and I thought no one from my district would appear here before this hearing.

It disturbs me very much that my district did not find itself available to send someone down here to testify in support of additional funding or broadening the bilingual-bicultural programs.

I think it reflects the community school board's composition in view of the fact that it is made up of five members supported by the UFT and that they have been in opposition to the bilingual-bicultural licenses and bilingual-bicultural programs.

It also reflects the attitude toward providing moneys in the tax levy area for bilingual programs. As of this day there is not one single dollar, to the best of my knowledge, being used out of the tax levy moneys that they receive annually.

We receive, on an annual basis, $20 million, which is used for 18,000 students. Not any part of it is designated for bilingual-bicultural programs. They used the facade that we have bilingual-bicultural programs because we use title I, State urban moneys, and title VII.

This is the way they address themselves to the bilingual programs. I think it is inadequate. I only wish that by my appearance here this afternoon I create an awakening of consciousness as to the needs in district 6.

Our district has 18,000 students. Six thousand of those students are non-English speaking. According to the best records I have been able to get my hands on in the last few days, 6,000 of these students are not proficient in the English language.

I would say that in view of this situation, district 6 should appropriate or designate out of the $20 million at least one-third of its budget to bilingual-bicultural programs. But again, they reflect a certain philosophy and they are not addressing themselves to it.

What happens is that we have to rely on the Federal Government to provide funds to fill the gap that does exist now in our district. In the last few days I made a little survey with three people who had no idea what I was doing.

I asked them what did they think about the bilingual-bicultural programs. I had one fellow, who I will name John, who is of Spanish background. I asked him what he thought about it. He said, "My children are going to be taught by a teacher who can't speak English—who speaks broken English. I don't want that. I will take my child out of school and send him to another area."

I spoke to another individual of Spanish background. "I don't want my kids to mix with kids who come from other countries who haven't had adequate school background," he said, again reflecting the lack of understanding of what the bilingual-bicultural programs are.

Then I spoke to a woman who is of nonhispanic background who said, "We didn't help the Irish, we didn't help the Italians in the past, so why now help the Spanish community?"

Again, this only reflects the attitudes of people throughout the city. They don't know what the programs are about, and as long as we have people like this, the programs will not be adequately funded unless we undertake a very strong public relations position or attitude toward creating familiarity with these programs.

I don't know how many Federal programs the money can provide for this to happen. I think one way would be this bilingual review that is published by the central board of education through the offices of the bilingual office.

If Federal funds could be provided so that they could expand their operation, I think the information that is coming forward from this bilingual review will help change these attitudes.

Again, in the words of the president, Dr. Lachman, all community school board members are laymen. I am not from the professional area. I am a consumer. I have a family in school.

One of the questions that I raised, why in their redoing scores they never test the non-English-speaking children—there are no statistics as far as I know, or that have been brought to my attention. What is the reading deficiency of the non-English-speaking child when we talk about deficiencies?

We have got to provide for the non-English-speaking child. But how much deficiency are we trying to correct? I don't know if that has been ascertained to this day. It probably has. What I am saying is that is we can ascertain the amount of deficiency per child, then we ought to fund on that basis.

I would think it would bring a bit more money than it has in the past. I seriously question the metropolitan achievement test as to its reliability for telling what these children have been acquiring.

Recently 30 schools throughout the city were prompting children to acquire a higher achievement than they would normally if it was the first time they saw this test. What I am saying is that it hides the deficiency and does not address itself to the bilingual areas.

I would like to strongly urge the committee to help provide a higher appropriation throughout the Nation. But, as Miss Rodriguez said earlier, the moneys are provided but the total amount of money is not spent.

Somehow we have to see that this happens. When I went down to Washington about 2 years ago in support of the title VII program and there was a young man—Mr. Badillo, you were there too. But I don't recall if you were there when I made the statement that we were out of money .

When I see this recent report by the bilingual review, and they say they appropriated so much money and then actually, this money was never spent, somebody was telling an untruth.

I would also urge that somehow through Federal legislation the Office of Special Programs, which is headed by Dr. Palamini and I only use Dr. Palamini's name because that is the area I am talking about, the Federal Government can somehow provide either additional moneys or lend some kind of strength to monitor special programs so we can really get it through.

I don't think that is happening now. Also, we must provide some kind of security for the bilingual teachers. I just refer to what Miss Rodriguez said before. She brought it to my mind that this is a serious situation.

In my own district during a campaign for the school board, I saw a room full of paraprofessionals brought into an office. They put on a tape recorder and they were going to interrogate them as to the role they were playing in the election of community school board members.

That only shows you that type of intimidation. If that didn't take place and the people had a secure position, I am sure a lot of them would be down here today testifying and reflecting their own opinion and not being fearful that when they went back to their district they would be called down on the carpet by the superintendent or by certain committees and say, "Why did you go down there and say that?"

If they had that kind of security, I am sure we would have a lot more advocates here. Just recently I ran across a very interesting program called the medical Spanish program, which is presently taking place at NYU Medical School.

I have a report of their philosophy here, and I have two copies of the newspaper. Their thrust is to teach medical terms in Spanish to the doctors and the medical staff. I think it is a unique program. I don't know if you have heard of it before.

I will submit this. This is by the director of the program. It is a woman by the name of Mercedes Colon. She is the director of the medical Spanish program. I am sure she will be available to testify before this body.

[Material referred to follows Mr. Nieves' testimony.]

Thank you very much.

Mr. Badillo. Thank you very much for your testimony. Just before you arrived there were some representatives from the United Federation of Teachers, specifically, Mr. Levine, who is vice president.

He testified that the union does support bilingual prorams. They had reservations about the licensing of teachers. I believe he agreed that would be a matter left to New York State.

Insofar as the Federal Government is concerned, the union does support not only the establishment and continuation of bilingual-bicultural programs.

What are the boundaries of your district?

Mr. Nieves. My boundaries from from 135th Street and Riverside Drive through St. Nicholas Avenue and follows north along St. Nicholas Avenue and then touches on Edgecombe around 145th Street. It just keeps going up to the tip of Manhattan. So it is from 135th Street to the tip of Manhattan.

Mr. Badillo. In your district you have had a growing migration of young people from the Dominican Republic.

Mr. Nieves. Absolutely, and one of the statistics I have seen recently is that the majority of the Spanish students are from the Dominican Republic, followed by the Puerto Rican child.

Mr. Badillo. How long has the migration been going on, approximately?

Mr. Nieves. At least a minimum of 5 years.

Mr. Badillo. What would you estimate now is the population of the Dominican students?

Mr. Nieves. I couldn't say with accuracy, but I would say this to you: I have a school in my area which I first started representing, which is P.S. 192. At one time the Puerto Rican child was over the 50 percent mark at that school. P.S. 192, which is located at 196th Street, Broadway, and Amsterdam, has over 50 percent Dominican children in the school.

I think that will go throughout the district.

Mr. Badillo. Has the school board or the board of education, if you know, made any kind of analysis of the projected future of the Dominican population? In other words, does anybody know whether the migration from the Dominican Republic is continuing, whether it has come to a halt, or what is the exact status?

Mr. Nieves. I know there has been a study that has been undertaken by Alejandro Rodriguez, who is the principal of P.S. 192, wit hthe help of a professor at Columbia University. There is this kind of study with projections. I couldn't recite the figures.

But, I am sure Mr. Rodriguez would have been here had he not been fearful that something would happen when he went back, and I am sure that the same thing would apply to other higher level personnel.

Again, if the attitude in the district is—it will go away. The bilingual situation will go away, then you won't have people coming down here. I am sorry to say I have been the only one. I am just trying to give you an idea of what is going on.

[The material referred to follows:]

MEDICAL SPANISH PROGRAM

I. OBJECTIVES OF COURSE—PHILOSOPHY

Mercedes Colon, Director at NYU–Medical College

We have developed a course and a manual to teach techniques of medical history-taking in Spanish to students who do not speak any Spanish.

There are certain fundamental premises underlying the aims and structure of the course: the first is that a sound medical history is of crucial importance in dealing with clinical problems; the second is that in order to miximize the potential of history-taking, it is important to be aware of the inter-relationship between medical concepts, the language used to express these concepts, and the culture of the patient. In order for this to occur, it is essential that the physician speak the language of and be aware of the culture of the patient.

One criticism of the medical profession is a certain lack of sensitivity to and understanding of the patient's fears and emotional needs. If this problem is then further aggravated by an almost complete language barrier and ignorance of the patient's culture, the negative effects of health care become staggering.

The Spanish Program we have developed is based on trying to lessen the extreme communication gap between doctors in City hospitals and their patients. Hospitals, especially City hospitals, must become responsive to the community they serve. This is especially true of Bellevue, which has an extremely high percentage of Hispanic patients. The last survey, conducted in 1965, gives the percentage of Spanish-speaking people as somewhere between 57% and 60% (Bellevue Comprehensive Plan, Westemon & Miller, Architects). According to the Supervisor of Admitting of Bellevue-In-Patient, the percentage is at least 75%. According to Mrs. Rajelevsky, Staff Nurse at the Information Booth, Bellevue OPD, the percentage is about the same. Some OPD clinics, however, have an extremely high percentage of Spanish-speaking people. For example, the OB–GYN clinic have over 90% Spanish-speaking people.

II. CULTURAL BACKGROUND

Cultural influences often affect patterns of health and medical care in very striking ways. Since most of the physicians and students taking this course are unfamiliar with many aspects of Puerto Rican life in New York City, we have introduced background material where it enhances an understanding of health problems. We have stressed the importance of factors such as diet, condition of buildings in relation to lead poisoning, the use of herbal medications, etc. We include readings and hold class discussions on the hot and cold theory of food, and spiritualism. We invite guest speakers from the Puerto Rican community to speak about health care needs, and attitudes of the Puerto Rican towards health care and hospitals. We take the class to Spanish Harlem to shop at the "marketa" for Spanish-type food which we later cook for them. We also visit "botanicas" which is where herbal medicine can be bought.

Through constant discussions about these cultural factors we try to give our students a sense of what a Puerto Rican who comes to Bellevue feels like, what some of the problems he faces are, how he reacts, and how he will respond to a diet based on foods he never eats when he is well, let alone when he is sick. In addition, we have found that most of our students have never really thought about these factors, but that they slowly gain sensitivity to and understanding of the Puerto Rican patient. The dual educational functions of our course—language and culture—are thus combined to give the students a kind of social awareness—you might want to call it "people" awareness—that can only enhance their human, caring functions as physicians.

III. TEACHING METHODOLOGY

The manual we use, *Medical Spanish, an integrated approach*, was written by Dr. Albert Ockerse, a pediatrician at Bellevue and E. Escarzaga. The manual is unique for various reasons. The point of departure is the medical history; therefore, the book presents, in Spanish, all of the questions necessary for taking a proper medical history. This is done by breaking up the questions, and devising a series of questions and responses in each cycle. The English part of the manual consists of a clinical description of the disease presented in the Spanish questions. For example, the cycles dealing with headache are followed by a clinical treatment of headaches.

The teaching methods which we are using are based on audio-lingual techniques, and have been developed from some of the basic concepts of generative-transformational grammar of Noam Chomsky. Accordingly, most of the instruction is based on auditory rather than visual or written stimuli, and students are encouraged to speak and use the language from the first session. The Spanish language part of the course is carefully structured and phased, beginning with basic, frequently-used structures, using a restricted basic vocabulary which is then systematically built up and expanded. An additional aid in teaching this method is a cassette library which enables the student to review and reinforce the lesson he has just learned in class.

Since we teach this course in New York City, we teach wherever possible, idiomatic Puerto Rican Spanish. Since our main goal is communication between pateents and physicians, where different words are used in classical Spanish and Puerto Rican Spanish, we have included both. Similarly, this technique can be used in California with Chicanos, in Chicago, in Boston, etc.

We have encouraged role-playing, with a view to help the student overcome apprehensions in dealing with patients, and to foster an appreciation of the patient's point of view.

Patient interviews

An important basic concept is relating the language teaching to actions or situations. Students begin to interview patients in the third week of the course, asking simple questions, such as age, name, address, chief complaint, etc.

We have been teaching the course in the outpatient clinics at Bellevue Hospital in order to be near patients. We have had the enthusiastic cooperation of most patients whom we have approached. We carefully explain the aims of this course and the rationale of our sessions to all patients whom we ask for permission to interview. Most patients are delighted to be able to participate in a program to teach Spanish to medical students and physicians. They see the program as a response by to institution to their needs.

An average of about three patients are interviewed per session. In addition to providing an opportunity to practice the use of the language in a practical setting, this practice helps overcome the anxiety and the insecurity felt by many students in their first contacts with patients. Once the anxieties lessen, his patient contact becomes a very rewarding one for the student. During these interviews we foster an awareness of the patient as a human being, and not as a walking example of a particular disease entity. At the very least, this is a matter of enlightened self-interest to help to establish an effective and understanding humanistic relationship with patients. The importance of this aspect of clinical medicine can hardly be emphasized strongly enough. It is our conviction that many medical students (and physicians) have not fully appreciated the importance of this concept.

We also use the interview to guide the patient to understand the essence of his role in helping himself. For example, we help the patient understand the importance of keeping appointments, and asking the doctors questions related to his illness, etc. Finally, we give overall encouragement to the patient in having a better sense of self.

[From 18 Kilates, September 1973]

"MEDICAL SPANISH" EN LA UNIVERSIDAD DE NUEVA YORK

(By Ms. Mercedes Mendez, Editor)

N.Y.U. School of Medicine is offering a course in Medical Spanish and comprehension of physical diagnosis in Spanish for medical students who do not speak the language.

This news item aroused my interest and I decided to get further information about it. From my own experience, I understood the necessity that exists in the hospitals and clinics of this city. Not only should administrative personnel speak Spanish but most importantly, the doctors, nurses and social workers. Although there are many eminent Hispanic doctors residing in New York, unfortunately, there are not enough doctors to fill all the large metropolitan hospitals.

There is a great percentage of Spanish speaking patients in these hospitals. The majority are Puerto Ricans. Of these, a great number do not speak a bit of English.

The doctors are faced with a great problem in examining these patients. To begin with—it is much easier to say "one coffee please" than "the pain began at the back of my neck and proceeded to go to the top of my head". What I am trying to say with this is that the majority of the Hispanic people that reside in New York speak enough English to be understood in the street, in the stores or at work. For example: common phrases such as "good morning", "thank you", "how much", "where is . . .", "what time is it?" etc.

Unfortunately, at a time when we ned so much to be able to explain to a doctor what we feel, how the pain began, etc., that is when we feel the enormous barrier that exists between languages.

There exists another serious difference. Our habits and customs are different. How can we explain to a North American doctor that when the infant suffered from colic we gave him a "cocimiento of Anis estrellado".

Not only do they not know what "Anis estrellado" is, they also don't understand why we give this to the child when he has colic.

The unfamiliarity of our language and customs on behalf of these doctors is a disservice to the patient and the doctor at the same time.

In the first place, how can you be understood if you don't speak the same language as your doctor; and secondly, how can the doctor render a correct diagnosis to his patient?

This is precisely the barrier which is trying to be eliminated with this course given to the medical students at N.Y.U. School of Medicine.

This incredible task rests upon the shoulders of two young Hispanic women whose initiative and incentive have developed this course.

One of them, Mercedes Colon, is the person who first began to teach and develop this program. Mercedes is a New York born Puerto Rican. She remembers very bitterly a situation in which her mother was admitted into a hospital and she at the age of seven was the only interpreter. Even at that time she remembers feeling that the situation should not be that way.

In March of 1972 a doctor from South Africa, Dr. Albert Ockerse, who also taught in Pediatrics at N.Y.U. presented to her the opportunity to help make a change in this situation. Dr. Ockerse was very disturbed with this situation and had written the *Medical Spanish Manual*. The technique used in teaching this course is the same technique the Peace Corps uses. It is not just a language course. It is also a course specialized in comprehension of physical diagnosis in Spanish. Dr. Ockerse trained Ms. Colon in the audio-lingual technique. He explained to her the proper interpretation of the manual and the best way to begin and develop such a program at the N.Y.U. Medical School as he could not remain in New York City to do it.

There were many unforseen problems that were yet to be uncovered. Ms. Colon was faced with many problems as she began to develop the program. In the first place she was to start this course by herself and she was inexperienced in this particular field. As I mentioned previously, Dr. Ockerse handed this manual to Ms. Colon and explained how it could possibly be developed as he was leaving for Spain in a short time. She was to plan, structure and develop this course and deal with all the obstacles that were to await her.

When it began, the course did not carry any academic credit. The students took it because they wanted to, knowing they would not get credit for it. It should be pointed out that the course runs for 15 weeks with 7½ class hours a week. Elective credit has finally been obtained for the course.

As I mentioned at the beginning of the article, this grand effort was in the hands of two Hispanic women: The Director of the Program who we named before, Mercedes Colon, and her assistant and right-hand, Doris Kaplan, who, her name notwithstanding, was born and raised in Havana, Cuba. Mercedes and Doris were very good friends. As the program developed Mercedes saw the need for an assistant in order for the program to grow. She suggested the matter to Doris, who quickly became intersted and today they work hand in hand on their classes and conferences.

A lot more could be written about this subject. In reality, it must be seen in action in order to fully appreciate its true worth. We attended one of the classes which is taught in Bellevue, OPD. We saw North American students, who five weeks previously did not know any Spanish at all, interview an elderly Puerto Rican patient.

The method, whatever it is, is fantastic. The results are in plain view. After a lot of battling, Mercedes and Doris have succeeded in obtaining the support of the deans and are currently receiving calls from other medical schools in the city that are interested in beginning similar programs.

The program covers many aspects, not all of which are technical. Mercedes and Doris are members of our Hispanic community and therefore know our customs. A very important part of the program is taking the students to "La Marqueta" and other Spanish markets in order for them to learn about our diet. They explain the nutrition values of our vegetables and their equivalents in the North American diet. They trust that in the future North-american doctors will understand that a Hispanic patient who suffers from an ulcer prefers the (yautia and malanga) vegetables he knows to pound cake. After the visit to Spanish markets Mercedes and Doris prepare typical Puerto Rican dishes for their students. They all like it and spend an agreeable time, but the important thing is that they learn about our diet.

Secondly, Mercedes was faced with the almost unanimous reluctance of the Faculty at the Medical School. (Editor's note: The Faculty at the time did not appreciate the type of course this could be and the clinical significance it could have.) "This is a Medical School, not a language school" they said. One of the people who recognized the importance of and the need for the program was Dr. Alex Rosen, Director of the Urban Health Affairs Office, in reality Mercedes' immediate superior, and to whose office this program belongs. I spokes with him for a few minutes and he spoke to me with a great deal of enthusiasm about the program. He also recounted some of the incidents that have reaffirmed the establishment of the course in this medical school.

A third year student was attending a cesarian birth in the OB–GYN clinic. This student had taken the Spanish course the previous year. The patient was Hispanic. At a certain moment during childbirth it was necessary for the patient to breath deeply and keep her eyes open in order for the operation to succeed. The doctor spoke to her, but the patient didn't understand him. There was a very difficult moment during which the patient's life was in danger, and the student, who was present as a spectator, dared to speak to her in Spanish "take a deep breath", he said, "open your eyes." The patient was able to do what he said and contributed to the success of the operation. Suffice it to say that the Faculty has learned of this and other similar incidents and now have a much better understanding of the teaching of this course.

Another interesting fact is that the court exists thanks to the students and not the Faculty members. Each time that the existence of the course was in danger it was the students who defended it. (Editor's note: The course now has acclaimed wide recognition from both the Faculty and students and is considered to be an asset to the curriculum.)

Last Spring Ms. Colon and Ms. Kaplan traveled to Puerto Rico with the intention of setting up a program on the island. Medical students who have taken the course would be able to work in hospitals in Puerto Rico during the summer, in return for room and board, traveling expenses and a small weekly stipend for personal expenses. They also discussed with the Secretary of Health in Puerto Rico the establishment of a program for fourth year medical students, who have taken the Spanish course, to work in hospitals as part of their fourth year elective.

The students also visit the Hispanic "botanicas" (where herbs are sold) that are so popular in our culture. Here they come in contact with the herbs and remedies that are so common in our homes. They learn the names and uses of these herbal remedies.

To sum up, this program it is designed to satisfy the needs of the doctors and patients that live in New York. It promotes the communication and trust so indispensable in the doctor-patient relationship. We sincerely praise the labor of its directors and we trust that their efforts will be multiplied in new programs by all of the medical schools in the country, wherever there are Spanish-speaking people.

Above all, we thank these two young women—one a Puerto Rican, and one a Cuban—for their sacrifice and dedication, for they have worked for a community like Bolivar dreamed of, with one flag, the flag of Hispanism.

Mr. BADILLO. Thank you very much for coming. I appreciate it. For the record, all the school boards were notified.

I would like to ask Mr. Noel Bonilla, administrative secretary of the Puerto Rican Committee of Suffolk County to come up.

STATEMENT OF NOEL BONILLA, ADMINISTRATIVE SECRETARY, PUERTO RICAN COMMUNITY OF SUFFOLK COUNTY, CENTRAL ISLIP, N.Y.; JOSEPH M. VOCHT, VICE CHAIRMAN, "LA UNION HISPANICA," PATCHOGUE, N.Y.; LUCY F. BONILLA, BILINGUAL TEACHER, CENTRAL ISLIP SCHOOL DISTRICT 13; AND MARIA I. VOCHT, BOARD MEMBER OF "LA UNION HISPANICA"

Mr. BONILLA. I perhaps come here from the other side of the spectrum, a community of 15 percent Puerto Ricans of Hispanic background, a school system that believes that bilingual education is segregation, that has never applied for title VII, being selected for Chapter 721 of the 10 districts in this State and never applied again.

Title I funds or aid to dependent children funds have been used only to get title I funds. People have been hired, directors of programs, director of federal projects, to administer the policies of this district.

Complaints have gone out for the last 6 years to the State education department. The community has met with the board, the superintendent of schools, Bill Flanagan. Complaints have been filed with the Title I Advisory Committee, the Teachers Association, the Bilingual Parent Chairman Committee and the Hipanic Committee of Central Islip.

We have gotten reports from the State education department constantly whitewashing everything. There isn't enough teeth, or perhaps they don't want to get involved. At the bilingual unit in Albany they are short-staffed. They have been into our district so many times, always making recommendations. The recommendations have never been followed.

The bilingual unit apparently doesn't have teeth. What we may need is a bilingual department out in Long Island. We have 30,000 non-English speakers in Long Island.

Mr. BADILLO. Do you know if an application has been filed for any bilingual program?

Mr. BONILLA. There has never been an application filed for title VII. Bilingual education does not exist today in Central Islip. An advisory committee has never existed. We have figureheads who advise, but the advisory committee has been used only in name.

Every recommendation from the advisory committee has been turned down. We have filed with the Puerto Rican Defense League. It has taken 14 months for HEW—after the first appearance in the school district it has taken 14 months for them to come down and finally have an investigation, an investigation of 32 alleged violations against parents, teachers, and students.

This is the kind of thing that happens because we are a little too far, and it is not recognized there are problems out there. There are "mucho" Puerto Ricans out there and "mucho" people that don't speak English.

Mr. BADILLO. Have you gotten any legal advice? Do you have any lawyers working with you on this?

Mr. BONILLA. We have gone to see the Puerto Rican Defense League. We have gotten some lawyers out on the island. None of them on the island are sophisticated enough in the area of education.

Our only hand has been advice from the Puerto Rican Legal Defense League.

Mr. BADILLO. What does the Puerto Rican Defense Fund say?

Mr. BONILLA. The Puerto Rican Defense League is looking at two areas. Central Islip has never hired a Puerto Rican. They are looking in the area of employment, in the area of the use of title I funds, in the area of retarded children.

The makeup of retarded classes is 40 percent Hispanic. The school district has never addressed itself to these funds that are available. There has to be machinery. There has to be enforcement of existing Federal laws and state laws.

The state must comply with the regulations. If not, the funds have to be pulled away from the state and put into grassroot organizations who are doing the work today. We were forced to have our own workshops in schools, which consisted of five different communities, because there was a need for bilingual classes.

We had a workshop. We had instructors who came 125 miles for instructions; Professor Olga Mendez from the State University at Stony Brook, Billy Forteza from Westbury College, people that had contributed their time, Jose Garcia from the New York Institute, director of Halidades. We have many people who realize there is a problem in Long Island, that the problems are not being faced, are not being met.

We have documents after documents. We have complaints on civil rights violations, title VI. The state turns around and says they have title I people. Virginia Cleven, spokesman for title I, makes a statement that they don't deal with civil rights violations.

These are the kinds of problems that exist out there. The funds that are being used under title I are being used, in a sense, to retard non-English speakers. The reason why I say this is they don't have any adequate program there.

The philosophy is that the children should speak English. This is the language. We have students in our high school that are in their fourth or fifth year. We have a 67-percent dropout from the Hispanic community. The suspensions are astronomical.

These are problems we are faced with every day. There isn't an agency that has wanted to get involved. The time hasn't been there and some are short of personnel to do a thorough investigation.

HEW was in the district. They are pulling out the files for the last 5 years. Every child that has been referred or tested for retarded classes, the suspensions; these records have been gone into. It is a long agony.

The community will not tolerate it anymore. There are existing laws that are being violated every day. Our alternatives are limited.

We know what the route will be if the state doesn't enforce the existing laws of the Federal Government.

The community will bring the school system down. It has been done in other places. These are the few alternatives we have left.

I would like to go back to one or two points. The screening process that continues in Central Islip, where people are hired on the basis of being soldiers who will continue their policies, the policies of inadequate education for Hispanics.

It is a process of retarding children. Teachers who have been hired into the district have been intimidated. Federal advisory boards have been intimidated. Central Islip is not unique because we found the same thing in Suffolk and Nassau Counties.

People are scared. They are scared perhaps by what may happen. We have been frustrated for years. We have gone to every agency from Federal to state without any remedies to meet the needs of these children.

We find that perhaps the only thing possible left for us today is to have a separate school, a school that will be administered by bilingual personnel, bicultural personnel to meet these needs.

The State refuses to enforce the laws and the local educational education agency refuses to have these programs, refuses to apply for these funds. Perhaps machinery should be set up so that the local community can tap these funds and start having their own schools.

I want to let one of the other speakers speak because I have become too emotional. I have become too involved with this. I work as a supervisor, but I have also been a community advocate for many years.

I get too emotional because I have been dealing with this day and night. The racist policies of the Central Islip school have gotten me to a point where I turn 180 degrees and start looking perhaps for other alternatives.

Perhaps one of the other speakers can say something.

Mr. VOCHT. My name is Joseph Vocht. I am vice chairman of La Union Hispanica, a group in Patchogue dedicated to lifting people out from where they are right now, mostly Puerto Rican people.

We worked with Noel. I want to go right into this statement.

My testimony will not be just a blanket condemnation of the school district I work for. In matters regarding bilingual education it is no better or worse than most districts, supplanting those very funds that were designed to make a difference but fell into the hands of power-hungry bureaucrats interested more in their images than in the job at hand—that is, to assure that all disadvantaged children receive an equal opportunity for an education that will not lead them to the dead ends that their parents, for the most part, have had to accept.

Nor will it be a condemnation solely pointed at lawmakers who have failed to come up with proper legislation to insure this equal opportunity under the guise that local people will in fact take care of these needs, for I well understand the difference between control and supervisional fears both on the Federal and local level.

However, I don't think we need more statistics to tell us some of the painful truths that we should all be aware of regarding the whole issue of bilingual education. The Mexican-American, or Chicano, has occupied and lived many generations in lands that are now part of the United States.

The educational system throughout the years has failed the Chicano, and bilingual cross-cultural education has proven to be a more realistic and humane approach towards providing equal educational opportunities to people who share this hemisphere with us by allowing the students to more deeply explore their potentials with dignity.

Many States have decided to provide bilingual education to all districts where there are 20 or more children whose first language is other than English. The *Lau* v. *Nichols* Supreme Court decision came close when it decided that the California school system was failing its Chinese-American students, but hedged on the issue of how best to rectify the situation.

We really don't need a Supreme Court decision to know that English as a second language is not enough. That the student receiving only this kind of education has to compete in a language while he is learning it is sort of like giving a rifle to someone who has never touched one and having him go against four or five expert marksmen.

The whole situation is grossly unfair and we mouth that fairness is one of our greatest attributes.

If nothing can be done about this situation legislatively, then let's admit that there are the "we's" and the "they's" and stop pouring money into school districts that are unwilling to meet the needs of a great many of their community constituents.

Remember, what I am saying is the situation that occurs in Long Island. Local control is not the panacea. Get the title funds into the hands of people who run centers such as ours, La Union Hispanica, who are dedicated and grass-rooted enough to really know th eneeds of the people for whom these funds were allocated.

Let us set up bilingual school situations that our country, state, or locality can truly be proud of. Let us begin to educate these children with their needs foremost in our minds and the guarantee will be citizenship with honor, pride, and dignity, and not just dead-end citizenship and despair that is rampant in our state and country now.

Thank you for the opportunity to speak on behalf of students whose potentials are now being stiffled.

Mr. **Badillo.** Thank you very much. Does anyone else want to make a statement?

Mrs. **Bonilla.** I am very glad to have an opportunity to come and speak to you gentlemen here. I am Lucy Bonilla. I am a bilingual teacher in Central Islip.

I am not in favor of being here because when I go back I will face a lot of intimidation and threats, and I will continue facing more and struggling and fighting.

In the classrooms they sit there and vegetate because there is no one there, hardly anyone that is really concerned about these children. There may be a few teachers who are slightly concerned, but not committed or involved at all.

We have a so-called bilingual program. They have to call it that this year because the State told them either you have a bilingual program or no funds. But the 6 years that they have this program—it is called English for non-English—they refused to call it English as a second language because they don't want to accept the children having another language.

Before this year there were two teachers working the whole district. There were 8 schools servicing over 175 children. This year, with the community struggle, we finally got eight teachers. Not all the teachers are Puerto Rican; only four.

I was the first Puerto Rican teacher in the whole school district paid under Federal funds. I am still under Federal funds, not paid by tax levy money. In fact, there is no tax levy money put in this program at all.

We kept asking for a coordinator and curriculum materials. They got a coordinator or lead teacher who is not Hispanic, who is not bicultural, who does not know the language, with no background in bilingual education whatsoever, to run this program.

This is one of the biggest problems we face today. It is not really a program; it is eight programs in eight schools with everybody doing their own thing. This is leading to a lot of retardation in our children.

We have children that are 2 and 3 years behind in reading, children, that by the time they reach junior high school level, are just dropping out.

That is all I can say right now.

Mr. Badillo. Thank you.

I want to thank you for coming. Central Islip is a long distance from New York City. I have been there a few times. One of the problems that we have in Congress is that we won't have oversight in this area because we haven't got the law secure as yet. We are still trying to get better definition of what bilingual education should be.

But your testimony is very helpful because it is being recorded, and it will help us in the subcommittee when we go back to Washington to ask for oversight hearings which will be hearings that will be addressed to see how the programs work out and what areas have failed to comply with the law.

It is one thing to pass a law and get new definitions, which is what our subcommittee does, but there is supposed to be another committee to see how the law is being applied in the different parts of the country.

So, your testimony will be very helpful so that we can work on it. In the meantime, you do have a specific problem. I am also a member of the board of the Puerto Rican Legal Defense Fund, so I will be working on how we can speed up those matters you mentioned.

If you talk to my assistant as you go out, I would like to get your address and phone number so we can call you when we get back to Washington next week. I can see what can be done to have someone at the Federal level look into this problem.

Thank you.

The next witness is Awilda Orta, director of the Minilingual School.

STATEMENT OF AWILDA ORTA, PRESIDENT, NEW YORK CITY COMMISSION ON BILINGUAL EDUCATION

Ms. ORTA. Thank you very much for allowing me to testify. Please don't be alarmed by the size of this presentation, I don't intend to read it.

The case has been made over and over for the need for bilingual education programs. It has been made here many times today.

As president of the citywide Commission on Bilingual Education, I sit on the board which advises the chancellor of the New York City school system. It is representative of the Puerto Rican, Haitian, Chinese, Italian, Greek, and Jewish, and other Spanish-speaking communities located in New York.

The goal of each of these groups is to make certain that good bilingual education programs are developed for each of their communities, good bilingual education programs for children. That, and only that, should be the prime goal of this legislation.

Since the very inception of a United States of America, bilingual education programs have been part of the American way of life. However, due to a dark period in American history, when people tried to close themselves within their natural boundaries in order to protect what they feared they might lose, was legislation passed against it.

Only when the Federal government led the way in 1968 with legislation was this trend reversed. The rights of all children to receive an education was restored.

I am not going to restate this case for bilingual education, but I would like to give reasons or the solutions that bilingual education programs have shown us. Educators, linguists, psychologists, sociologists, anthropologists, parents, community people have all made strong cases for bilingual education.

I have here within my testimony a district in Manhattan which services a very large Spanish-speaking community for Manhattan. I have two charts. I have the elementary and secondary school children listed.

As you study the charts later on, you will notice that as the percentage of Spanish-speaking pupils increases in each school, the percentage of children who are reading on or above grade level decreases.

That statment is the same for the elementary schools as it is for the junior high schools. I have a copy of what I suggest would be a very good program model for bilingual education, and that is the bilingual minischool at Junior High School 45 in Harlem.

Most importantly, I would like to share with you some of the results this program has brought about. The district has a very large Spanish-speaking population. In the junior high school in question, 67 percent of the children are of Spanish-speaking backgrounds.

Only 10.9 percent of these children are really on or above grade level. This junior high school has one of the better academic records of the entire district. Last June 1973, 49 percent of the graduating class received special scholarships allowing them into special high schools to college-bound programs.

The bilingual minischool, on the other hand, whose children rarely went to any college-bound special high schools, 69 percent of the children who graduated from the bilingual minischool were accepted into college programs and received scholarships.

This year the percentage is going to be higher. Eighty-two percent of the eighth-graders graduating from the bilingual minischool at the junior high school graduated with diplomas last year.

In the past not one child ever received a diploma from junior high school but was classified non-English-speaking. In terms of academic records, 16 percent of the total school population was on the honor roll.

However, in the bilingual minischool the average was 32 percent on the honor roll. In terms of competing academically with other children throughout the city, the children in the bilingual minischool in the last 4 years have really come out on top.

For example, in the Manhattan boroughwide science competition, the Spanish-dominant students won first and second prizes in the group competition, and they were competing with some ninth grade students from such academic schools as Stuyvesant. This year they won first and second prizes also.

In terms of districtwide competition, the children from the bilingual minischool have always come out among the top. In relation to hard data, in the metropolitan reading and metropolitan math schools, last year the seventh grade increased 2 years in reading and 1 year and 9 months in mathematics.

In terms of reading, the average eighth grade child is near the national norm, and in terms of math, just about 2 months below the national norm. The seventh grade is a little farther behind, but we expect that by the time they graduate from the eighth grade they will be on the national norm.

In terms of the Spanish-language child, the growth rate has been fantastic. In some children it has been 4 or 5 years growth rate as attested by La Prueba de Lectura developed by the Educational Testing Service for the children of Puerto Rico.

These children never before had any kind of success in any kind of academic situation in the school system. These children are ready now to begin to compete on a high school level with other children throughout the city.

What I am trying to show with these figures is that only through bilingual education programs can these children begin to develop the academic skills, social skills, and the other skills necessary in order to function and compete within the New York City school system.

The only reason that these children have been afforded a bilingual program has been through Federal legislation and through a title VII grant. The city has moved, but slowly, in the area of bilingual education.

I think the best motivating factor has been the ESEA title VII legislation. We hope the upcoming legislation will continue to be a motivating factor in providing programs. I am very fearful that if strong legislation is not provided at the Federal level, the city and the State will not continue to be supportive of bilingual education.

In view of the new legislation, I would like to make several recommendations; first, that the legislation cover grades K through

12. In the past this has been mostly for the elementary schools. I presented a junior high school model because I feel strongly that the support has to be across the grade.

There has to be very strong support for teacher training programs. I feel the strongest variable and success of any program is the competency of its teaching staff. At the present time, through bilingual educational programs, many of the universities are reevaluating the types of teacher training programs that they have.

I think that with a strong component in the new legislation providing for this training, we will have better teachers in our classrooms.

I feel that the curriculum projects that now exist throughout the country must continue to be supported because we do not have sufficient curriculum materials. We have some excellent materials being developed now for grades K through 4, but in the secondary school we still need many more materials.

I also feel that national projects which now exist—I put national in quotes because this past year the emphasis of the division of bilingual education in Washington has tried to change these and make it more local instead of national—will have to be continued and have to be supported, because in this way there will be less duplication of effort across the country and it could bring the many bilingual communities closer together.

I would also like to plead, as a past project director, to have much more of an opportunity to put more input into the new guidelines because in the past we have had to implement the guidelines, and we are the ones closest to the field and actually have a better concept of how these guidelines should be gone into in these different projects.

And lastly, I urge that the national advisory board, which will be part of this national legislation, include persons who have some sort of experience in dealing with bilingual-bicultural programs because many times people are appointed, and these are solely political appointments and by the time they learn the essence of bilingual education, a year or two has passed.

Thank you.

Mr. Badilio. Thank you very much. These are very helpful recommendations. We are glad to have them and certainly will include them in the record.

[The material referred to follows:]

PREPARED STATEMENT OF AWILDA ORTA, PRESIDENT, NEW YORK CITY COMMISSION ON BILINGUAL EDUCATION

Bilingual Education is a viable education program for all children. The first priority must continue to be the child who is non-English dominant. However, the definitions, target population and characteristics of Bilingual Education programs, which were developed for ESEA, title VII cover with some authority those areas which need to be included.

As President of the City-wide commission on Bilingual Education, I sit on a board which advises the Chancellor of the New York City School System. It is representative of the Puerto Rican, Haitian, Chinese, Italian, Greek, and Jewish and other spanish-speaking communities located in New York. The goal of each of these groups is to make certain that good bilingual programs are developed for each of their communities. Good bilingual education programs for children. That and only that should be the prime goal of this legislation.

Since the very inception of a United States of America, bilingual education programs have been part of the American way of life. Only during a very dark period in American History, when people tried to close themselevs within their natural boundaries in order to protect what they feared they might lose, was legislation passed against it. Only when the federal government led the way in 1968 with legislation was this trend reversed. The rights of all children to receive an education were restored.

Children now have the opportunity to participate in a program which will take into account their backgrounds, their talents and their individual needs. Once again the federal government must take the lead. For without continued government assistance, support in the individual states would waiver.

History supports Bilingual Education. Different ethnolinguistic groups from across the country have petitioned the government on all levels for legislation to provide resources in order to establish programs. Educators, linguists, psychologists, sociologists, anthropologists, parents, and others have made a strong case for Bilingual Education. Recent court cases have firmly underlined the need for such programs. My intention here is not to re-state this case. For if there is any doubt in your minds at this point in time, nothing can change it.

My main thrust with this testimony is to illustrate that bilingual-bicultural programs are successful. It has been proven time and again the bilingual-bicultural programs are needed. I will show you that they do indeed provide solutions.

The pages that follow include a needs assessment, a model for a junior high school and most importantly the results such a program has on its clients.

I—OBJECTIVE CRITERIA AND NEEDS FOR THIS ASSISTANCE

A. OBJECTIVE CRITERIA

The Bilingual Mini-School at Junior High School 45 is located in New York City's Community School District No. 4. The area is traditionally known as Spanish Harlem or more popularly, "El Barrio".

Twenty-Two schools service the children of "El Barrio". There are 18 elementary schools and 4 intermediate and junior high schools.

According to the Special census conducted on October 31, 1972, there are 17,577 children in the schools of District No. 4. *11,183 are Spanish speaking, most of whom are Puerto Rican.* 6,394 are classified as "Others". *The Spanish-speaking children form 64% of the total schoolage population.*

The Bilingual Mini-School is located within one school in District No. 4. This school, John S. Roberts J.H.S. 45 Man., has a total school population of 1,148. 770 of these children are Spanish speaking. This constitutes 67% of the total school population.

B. NEEDS ASSESSMENT

Community School District No. 4, located in Manhattan's East side is a low socio-economic area. The majority of the persons living in the area are Puerto Rican and Black. The Puerto Rican children represent 64% of all the children attending school in the District.

The District is serviced by 18 elementary schools and 4 intermediate and junior high schools. With the exception of P.S. 112, all of the schools are ranked in the bottom 27% of all the elementary schools in the City of New York. These figures are provided by the 4th annual ranking of schools by reading achievement submitted by the Bureau of Educational Research on September, 1973.

There are 630 elementary schools in New York City. P.S. 112, which is only a K–3 school, is ranked 309th. 36.4% of its pupil population is reading on or above grade level in English. Recent tests indicate that the greatest drop in reading grades begin between the third and fourth grades. Therefore, the ranking of P.S. 112 is relative. P.S. 206, the school that continues with P.S. 112's grades 4–6, is ranked 529th. While P.S. 112 has 36.4% of its pupils reading on grade level in English, P.S. 206 has only 19.9% of its pupils reading on grade level. The children that attend P.S. 206 were formerly students of P.S. 112. All of the other schools range in ranking from 457th to 625th. Of these schools 13 are ranked in the last 100 schools in the City. When we examine the information closer, we see that there is a high correlation between low reading scores and high numbers of Spanish-speaking children in each of the schools. P.S. 108, which is ranged the highest in the District, 457th (not counting P.S. 206) has only 24.1% of its school population reading on or above grade level in English. The lowest ranked school, 625th, P.S. 96, has only 10.7% of its students reading on or above grade level in English. In P.S. 108, 71% of the school populaton is Spanish speaking. In P.S. 96, 76%

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of the pupil population is Spanish speaking. This school has also the highest percentage of Spanish-speaking pupils. In the entire District over 49% of each school's population is Spanish speaking.

CHART I.—COMPARISON OF ELEMENTARY SCHOOL RANKING AND PERCENTAGE OF SPANISH-SPEAKING PUPILS

	Ranking	Percent of pupils on or above reading grade in English	Percent of Spanish-speaking pupils
School:			
112	309	36.4	65
108	457	24.1	71
146	460	23.9	49
57	493	22.2	49
101	505	21.6	54
102	525	20.2	67
206	529	19.9	62
109	548	18.4	63
171	549	18.3	57
121	562	17.5	72
107	566	17.2	67
80	575	16.9	51
72	577	16.2	83
155	597	14.0	75
83	602	13.8	71
7	605	13.7	74
168	606	13.6	62
96	625	10.7	76

In all of the junior high schools, over 51% of their pupil population is Spanish speaking. However, in these higher grade levels, while the percentage of Spanish-speaking pupils remain about the same, the percentage of pupils reading on or above grade level decreases. Of the 166 junior high schools in the City, the 4 junior high schools in District No. 4 are among the lowest.

CHART II

Schools	Ranking	Percent on or above grade level in English	Percent of Spanish speaking
IS 117	115	13.4	51
JHS 45	132	10.9	67
JHS 99	159	6.4	64
HS 13	160	6.2	56

While the reading grades are low, the math scores are just as low. The greatest drop in both reading and math scores occurs between the 3rd and the 4th grades. You begin to see the drastic results by the end of the 5th grade. Take the results of the Metropolitan Achievement test in Math given in May, 1973. Of all the children who took the test; 30% of the third graders were on level in math, while only 30% of the fifth graders were on level. These figures continue to decrease when the children reach the junior high school level.

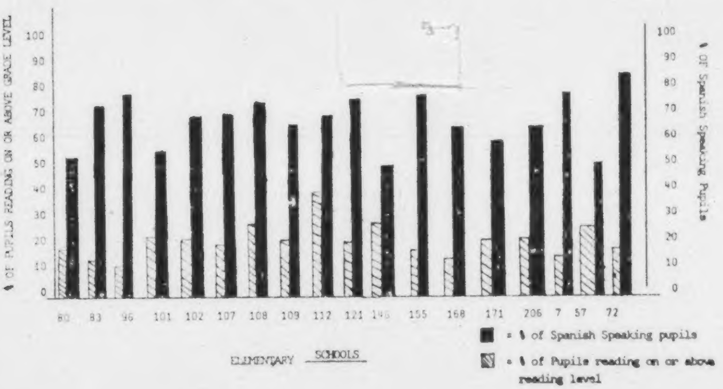
There is a great need to develop a comprehensive bilingual program for all the schools in District No. 4. There is a need to make the community aware of the great need for more bilingual education programs. The emphasis on the district level should not be limited to the elementary schools, but a good bilingual program on the junior high school level is a must. The junior high school program would not only be the continuation of the elementary school program, but would serve as a port of entry for recent arrivals from Puerto Rico and other Spanish-speaking countries.

The Nation-wide stress in the field of bilingual education has been on the elementary school level. The importance has been placed in working with the child from the very beginning of his educational experience in a school setting. The path from pre-K through grade 6 has been carefully laid out. There has been some attempt to provide support for programs in Grades 7 through 12 (junior and senior high). However, the attempts have not been of the same caliber. There is no comparable drive to develop programs on the intermediate level. Throughout the City, many schools districts have developed good models for bilingual education on the elementary school level. The need now is to develop a good model for a junior high or intermediate school. This would not only provide a guide for the other junior high schools in the District, it would also serve as a model for all the junior high school programs in the City.

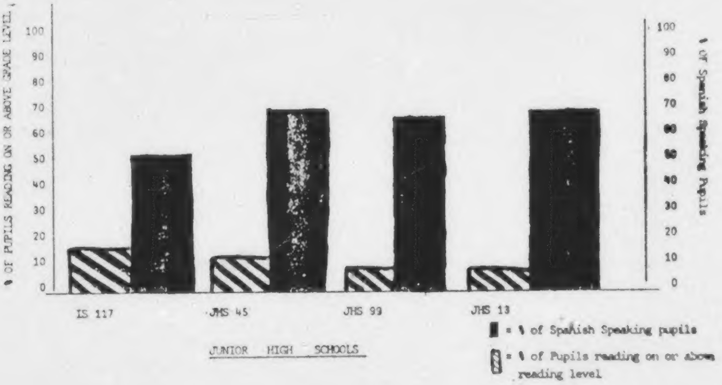
The Staff Development Components and the Parent Components would be highlighted. The Instructional Component would be a creative vehicle of growth and discovery on the part of both students and their teachers. The program would also serve as a resource for the acquisition, adaptation and development of materials solely for the junior high school. Most of the work in the acquisition and development of materials is centered on the very early elementary grades. The national projects have not yet begun to look at the needs of the intermediate grades in terms of materials.

Additional efforts must be placed in demonstrating the importance of bilingual programs on the secondary level and refining the articulation procedures with the senior high school. It is of extreme importance that the effort in bilingual education begin at pre-K and continue through grade 12. All the supportive services needed to carry on this task must be given top priority.

COMPARISON OF % OF SPANISH-SPEAKING PUPILS
AND % OF PUPILS READING ON OR ABOVE GRADE LEVEL



COMPARISON OF % OF SPANISH-SPEAKING PUPILS
AND % OF PUPILS READING ON OR ABOVE GRADE LEVEL



C. PROGRAM MODEL

The Bilingual Mini-School at Junior High School 45, Man., concentrates on a flexible program which takes into consideration the individual growth needs of each of its students. The program not only serves as a model for other bilingual programs in the District and in the City, but provides an avenue where bilingual programs emanating from the elementary school can continue.

During the 1972–1973 school year, there were over 250 visitors to the project. There were visitors from as far away as Japan and Guam. A group of about 13 principals from throughout the City also came to visit. Fifteen school districts asked for help in developing junior high school programs. During the 1973–1974 school year, between October and November, over 60 persons have visited the project with the majority of visitors expected in the Spring. Schools from New Jersey, Connecticut and Massachusetts have also asked for help.

Visitors have been taught how to implement an instructional model such as that in the Bilingual Mini-School. They have been shown its interesting management component and the dynamic features of its materials and staff development components. They have availed themselves of part or all of the features of the Bilingual Mini-School design. More and more school districts every day ask for this kind of service, because there are very few comparable programs in the country.

The Bilingual Mini-School has a three pronged approach to the problem of providing a bilingual program on the junior high school level. The first emphasis is given to furnishing a viable junior high school program for students of adolescent age. Secondly, it makes a bilingual program available on the junior high school level for students coming from elementary bilingual programs. Thirdly, it gives an opportunity to students who are new arrivals to participate in a bilingual program. The entire program is designed to give special emphasis to the pupils' history and culture.

The Instructional Program is based on homogeneous, non-graded classes and geared towards meeting the individual needs of the students. Each student is given his own individual program. In all the major subject areas, students are grouped according to their ability and educational background. Each subject area is divided into six levels, e.g., English I, English II, etc. There is a great flexibility in the design of the program. Each subject is programmed during the same class period. Students with different levels of proficiency in English as well as other subject areas, can be easily transferred from one level to another. The student is allowed to move as many times within each subject area as is necessary without having to change the rest of his program. A student may also participate in two or more different ability levels in the different subject areas, without adversely affecting his program, e.g., he may be in English I, Math II and Science II. If on the other hand, a student is moved from one class to another or from one grade to another, the change ned not take place in the student's subject classes.

The leveling of these classes provides the teacher with greater control over the placement of each individual student. It also gives the teacher greater flexibility with respect to class size. Classes with low levels of proficiency in related subject areas are not allowed to have more than ten (10) students.

Using teacher prepared instruments, the students are tested at the beginning of the year to diagnose their ability level. Each teacher concentrates on just one subject area. Each student is interviewed. He is given specific pronunciation and grammatical drills based on phonological and linguistic concepts. Similar projects were carried on in Math and Science. After (2) weeks of preparation, the students are tested. The results of the tests given, in addition to teacher recommendations, serve to place each student in the level of proficiency which best suits his needs in each subject area. No student is fixed in a class. The teacher can place a student in another level as soon as he feels he is ready. The change does not have to wait for testing schedules, special dates or any other fixed organizational timetable. Each child is allowed to grow at his own rate. When he has gained the necessary skills in that subject, he can be placed in another level. Once he has acquired the skills in one language, these can be easily transferred to English.

In the English Language Arts Program, the goal is to give a broader understanding and appreciation of the English language. A further goal is accomplished when an examination of the English language from a linguistic standpoint is aimed at expanding the understanding and appreciation of the student's work in their study of the Spanish language. For example, a study was made of René Marques' *La Carreta* in Spanish, for Spanish-dominant students and in English for English-dominant students.

In the English as a Second Language Program, emphasis is placed on developing all of the skills necessary in order to acquire a second language. These classes are desgined to meet the different needs of all the ability levels in the program.

The Spanish Language Arts Program and Spanish as a Second Language Program have a similar emphasis. The students participating in these programs have been accepted to advance placement classes, when they enter senior high school.

The Social Studies curriculum is centered around developing problem solving skills involving urban studies and other areas relating to city living. A great deal of independent research is encouraged with the view that many problems have no simple answers. Each child pursues an area of independent research chosen by the student and follows it to its logical conclusion. This involves a great deal of library work and independent initiative. Some of the techniques used are: lectures, pertinent speakers from the community and government, films, cultural and historical trips, role playing, debates, related art work and special projects.

Some of the skills achieved were library skills, researching, art, photography, reading achievement, note-taking, interviewing and creative writing. This led to the final preparation of group projects in Social Studies dealing with special towns and cities in Puerto Rico, with the completion of term papers.

The design is based on an open classroom approach to the teaching of Social Studies. This program is a new Social Studies curriculum prepared by the teachers of the Bilingual Mini-School. It is also an urban studies curriculum with special emphasis on contributions of Black and Puerto Rican culture and heritage in an urban setting.

The students are taught concepts and, through a variety of related activities, are asked to implement these concepts according to the results from group discussions, research and field trips. The students work with the growth of cities and developing the concepts leading to the solutions of problems that are inherent in the growth of an urban area.

The unit on Man and his Environment is introduced by a film showing how men live in various places of the world. It is followed by a trip to the museum. After this, the children using whatever materials they choose, construct different types of homes, e.g., igloos, tents, teepees, one story wood-frame homes, etc. The next step is to compare and analyze their own living conditions and offer solutions as to their improvement. The study of the student's environment was also emphasized by showing the influence of Puerto Rican and Black minority groups have had with respect to the changes that have come about in all areas pertaining to urban growth. The students must research their projects and all work in the process of contributions to the change in their environment.

This all will result in a better understanding of the concepts of man and time, man and growth, man and the city, and man and his immediate environment. The most important goal of this class is to develop within the students a good working knowledge of each of these concepts. The motto of these groups involved in this experiment is "The Man Who is Not Aware of His History, is Doomed to Repeat It." The acquisition of these concepts will hopefully lead the students to be aware of their history so that they may be instrumental in changing it. The students are not simply reading about their history, they are living it. They are also aware that they are living it.

The Science Component follows the New York City Science curriculum for the junior high school. Science I to IV are traditional science classes in terms of program design. Science V–VI is a project-centered program geared toward developing scientific concepts based on curriculum for students of low proficiency in Science and for non-readers. Each student is given a great deal of individual attention. The two teachers involved cooperate in a team-teaching effort.

This group follows the general Science curriculum through experimentation. In the unit of botany, for example, they planted beans and followed their progress. They learned all the different parts of the plant and also were able to cover experiments in photosynthesis. In the unit of electricity, they learned all the general concepts needed to be covered in this unit. They were then tested as to the extent of their background. The test was a 'practical'. Each student carried out a series of experiments to test the validity of the concepts he had learned. As a culminating activity in this unit, each student built a radio.

Mathematics groups I and II are conducted in English. Mathematics III through VI are conducted in Spanish. Levels I through III follow the regular curriculum introduced in the 7th and 8th grades. The course of study incorporates the Set Theory, theory of number, whole numbers, the number line, prime numbers, the lowest common denominator, fractions, the theory of rational numbers, decimals, logic ratio and proportion percentage, plan geometric figures and measurement in geometry. Groups V and VI are very small groups. The entire work is based on developing the student's basic skills and time is allowed toward involving these skills in problem solving. Both Mathematics groups concentrate on individual instruction for each student. Most of the time the children are divided into three or four groups. There are no more than three of four students in a group. The teacher and the paraprofessional concentrate on developing each student's basic skills in Math.

The entire staff, teachers and paraprofessionals, participate in an on-going, comprehensive, in-service staff development program. At these weekly sessions, teachers discussed the topics they had covered in each of their classes and explained any problems that had had in teaching these topics. Information, suggestions and materials were exchanged during these times. Teachers kept on-going assessment records of student performance. They utilized these records to recommend class change or counseling, if needed. The paraprofessionals are an important part of these weekly conferences, as well as the monthly conferences of their own. Each staff member also has the opportunity to conduct workshops for the other members of the staff.

In addition to the weekly sessions, the teachers participate in several workshops aimed at developing skills in each of their fields. The also participate in a teacher-training program at New York University which had significant impact in many areas of the overall program at the Bilingual Mini-School. The teachers are involved at a professional graduate level in the process of acquiring and developing important skills essential to the implementation of a bilingual educational program. Both the full-time and the part-time staff is participating this program.

The Materials Component is an extremely important part of the program. As it was explained, there are very few materials prepared especially for the secondary school level. There is a great need to valuat that material which exist. Ideas for the use, adaptation and the development of new materials must continue to be encouraged.

The members of the staff of the Bilingual Mini-School are developing their own materials. This is an extremely time-consuming affair. It is difficult to teach three subject areas, plan curriculum and write curriculum as well. Much of the published material which is on the market is not culturally relevant, nor does it meet the needs of the students enrolled in the program. Much of the material must be adapted, for example, the book, *English for Today*, workbook I was adapted for the purpose of developing dialogues and patterns to be recorded on tape and used as review exercises for the language laboratory period for ESL III. The great task of preparing the Social Studies materials has been under way for a year. It is hoped that by the end of June, 1975, each student in the Mini-School will have a textbook and a workbook to use as reference.

D. PROGRAM RESULTS

John S. Roberts, the school in which the Bilingual Mini-School is located has the highest Spanish-speaking population of any junior high school in the District, 67%. 10.9% of the entire school population is reading on or above grade level. The school has one of the better academic achievement records of the District. In June, 1973, 49% of the graduating class was accepted to special high schools, to college bound programs or received scholarships to private schools. Meanwhile, 69% of the Bilingual Mini-School's graduating class was accepted to college bound programs, special high schools or received scholarships to private schools. Before the bilingual program, only one or two Spanish-dominant students ever received diplomas. The rest, mainly received certificates of attendance. In June, 1973, 82% of the students in the bilingual program graduated with a diploma. At the end of the school year, the school averaged 16% of its school population on the honor roll. The Bilingual Mini-School's average was 32%.

In the Manhattan Borough-Wide Science competition, the Spanish-dominant students won first and second prize in the group competition and second and third prize in the individual competition. ~~In a~~ District-wide essay contest for Puerto Rico Discovery Day, a student from the Bilingual Mini-School won first prize in both the essay contest and the poetry contest. The winning essay was entitled, "What it means to be a Puerto Rican". The students have always led the school in activities related to Puerto Rican History and Culture.

The growth rate in reading for the 7th grade in school year 1972–1973 was two years. The math growth rate was 1.9 years. In terms of participating in school wide activities (the entire junior high school), the students in the Bilingual Mini-School have taken the forefront, where they never participated before. During the 1972–1973 school year, they won school-wide elections for President and Vice-President of the Student Council. In the 1973–1974 school year, they won Secretary and Delegate positions. They form a greater part of the school band and they run the school newspaper. Each year the greatest part of the Science Fair exhibits are prepared by students from the Bilingual Mini-School.

The project also serves as an important port of entry. Since September, 1973, the student population of the Bilingual Mini-School has risen 8.6%. All of these students are recent arrivals in the Mainland from Puerto Rico and other Spanish-speaking countries. In addition, close of 11% of the students attending the project come from outside the area from which Junior High School 45 draws its population. Most of these children come from within District No. 4. However, some of the children come from nearby school districts, which have no programs to service them.

The findings of the Evaluation as was reported by Doctor Cervenka, were extremely encouraging and supportive. He writes,

"Last year, English I, which corresponded more or less to the 8th grade of the bilingual program, achieved a grade equivalent mean score of 8.4 on this measure, for a gain of 1.9 over the 12 month period. (Page 4, Final Evaluation Report, 1972–1973)

"The 8th grade English-dominant students achieved a grade equivalent mean score of 8.39, which is only slightly below the national norm." (Page 5)

He continues,

"In April, 1973, the 7th grade English-dominant students were above the national reading norms on both sub-tests and total reading scores. (Page 6)

"The total reading gain of 1.22 would represent approximately a 1.8 grade equivalents gain for a school year." (Page 6)

For the Spanish-dominant students he writes,

"For the 1971–1972 school year, the program reported that Spanish-dominant students achieved a grade equivalent mean of 4.9 (with a range of 3.0 to 7.5) in September, 1971, and a grade equivalent mean of 6.0 (with a range of 3.0 to 8.6) in the Spring of 1972, using the *Prueba de Lectura*, Intermediate Level. This gain of 1.1 grade equivalents would have represented a school year gain of approximately 1.3." (Page 8)

The math results were also very successful.

"In May, 1973, the English-dominant 8th grade students had a mean grade equivalent in total math of 8.71, which was only .29 under the national norm. (Page 7)

"Seventh grade math scores of the English-dominant students are very near the national norms on all three sub-tests and total math score." (Page 8)

Doctor Cervenka concludes,

"The bilingual education program at J.H.S. 45 appears to have had considerable success during 1972–73 with reading instruction for the English-dominant students. The evaluators estimate that 8th grade students advanced one grade equivalent over the school year. Moreover, they were only slightly below the national norms for reading. The reading achievement of the 7th grade was more substantial. Pre and post-measurements on all reading sub-tests were consistently over one grade equivalent and total reading achievement for the full school year was estimated to be 1.8 grade equivalents. The reading scores of the 7th grade were also above national reading norms. These reading achievements represent a substantial accomplishment for a bilingual program particularly one at the junior high school level, considering the city-wide pattern of reading retardation in New York City schools.

English-dominant students had similarly good achievement in math computation, math concepts and problem solving. The 8th grade students are performing at or above national norms on all but one *MAT* sub-test, problem solving. The 7th grade is slightly above national norms in math concepts and slightly below on computation and problem solving.

"These students as a group are obviously well prepared for high school instruction." (Page 27)

Finally he states,

"In the evaluator's opinion, it is fairly easy to successfully implement a bilingual education program in the lower elementary grades, where most Title VII programs are established, but much more difficult at the junior high school level. This is the case because students who enter bilingual programs at the middle education levels in New York City are very likely to have substantial reading retardation in both their first language and their second language. With this fact in mind, the success of the Bilingual Mini-School can be said to be remarkable." (Page 28)

Community School District #4 has always supported the activities of the Bilingual Mini-School. The faciitiles at JHS 45 are among the best. The relationship between the administration of JHS 45 and that of the bilingual program has been one of close cooperation. All of the services not supported by Title VII are paid for by local tax levey funds.

This vehicle for the continuation of elementary bilingual programs; a program to serve as a port of entry for new arrivals; and a model for intermediate and junior high school programs must continue to be supported by both local and federal funds. The future of bilingual education programs lies in the need to establish programs from pre-K through 12. Successful models such as that found at the Bilingual Mini-School must continue. The goal of providing good bilingual education programs must be realized. This goal must include all children who want or need a bilingual program. The junior high school model must be an important part of this goal.

I chose the junior high school model, because I was most familiar with it and also because whatever support comes it must encompass grades K-12.

I would therefore, like to make the following recommendations:

1. The new legislation must provide funding beginning the 1974-1975 school year.
2. All grades should be given the same priority. Programs should start at the K or pre-K level and continue to 12.
3. Strong support be given to teacher training programs.
4. Curriculum projects throughout the country be given continued support.
5. The 'national' projects which now exist receive continued support and more projects with a national emphasis be established.
6. The present project directors should have an opportunity to have input on the new guidelines which reflect the mandates of the legislation.
7. The new national advisory board include persons with some experiences in bilingual bicultural programs.
8. The new legislation should reflect the linguistic and cultural needs of the children to be served.

STATEMENT OF RICHARD DuBOIS, ASSISTANT PRINCIPAL AND BILINGUAL SUPERVISOR, JUNIOR HIGH SCHOOL 294, BROOKLYN, N.Y.

Mr. DuBois. My name is Richard DuBois. I am assistant principal at Junior High School 294 in Brooklyn, district 13.

I am supervisor of the bilingual program in the school. I have been in the school for 6 years. When I first started in it, I was a teacher of Spanish. The students who were non-English, at worst, were put into a class that was called non-English-speaking.

The makeup of our school population was, and is, basically black, Hispanic, and Haitian. There are also Greeks and Chinese in the school. The Chinese are a minority, maybe five students. At one time there were about 20 to 30 Greeks. Today there aren't that many.

The non-English program was an absolute failure. Then this was replaced by an ESL program. In the second year of that program there were two classes where they separated the Haitian French-speaking students from the Spanish-speaking students.

Again, the Haitan students were fortunate. They had a Haitian teacher. The Spanish-speaking class of the ESL program was a failure. These were qualified North American English-speaking teachers who had learned Spanish and were trying to teach students with an Hispanic background from Puerto Rico, Cuba, Santo Domingo, Venezuela, Columbia, Peru, and so forth.

Again, the program was not a success. That is, the Spanish part. Then 2 years ago we got the bilingual program. With the bilingual program, we first had teachers who were teachers of English as a second language teach the students.

The programs were not a success. Then we finally had the bilingual in a situation now where it is viable. The makeup of the Spanish-speaking students in the one Spanish-speaking bilingual class is Hispanic, South American, Central American, and the West Indies.

The teacher is Cuban. We have two Haitian bilingual classes. They are taught by two Haitian teachers. As for the students, there is never any discipline problem with them. Again, students between the ages of 13 and 15 will have their differences. They will have their arguments and possibly fights, but there is no such thing as it was when I first went to the school.

There were four black gangs; there were two Puerto Rican gangs, and there was a dichotomy. There was also friction between the West Indian and the continental blacks. Today that doesn't exist.

Again, the bilingual students are not in isolation. They take part in the shop program. They take part in the gym program. They go to lunch like everyone else.

I believe the fact that the teachers who teach these students are related to the students by way of culture has a lot to do with it. The language is the key to the culture and because the bilingual thrust is going in a bicultural way, that is the correct way to help students.

Because a man or woman learns a language does not mean that they know the difference in cultural attitudes. One of the things when a teacher comes to me for a bilingual teaching position, I ask them to speak to me in Spanish.

I refuse to even consider the teacher if he does not understand the basic linguistic element of the familiar form and the polite form, whether it is German, Spanish, or French. If the teacher hasn't mastered that concept, he cannot even go further to teach students and relate to them in their own language.

"Tu y usted" are completely different concepts which are not in the English language. The pupils relate much better to other students because they are taught the subject matter in their own native language and their education is not stopped so they can progress learning another language.

They learn that when they meet the other students. They hear it out on the street. Our school has students in our bilingual program that are not from our elementary schools that feed to us.

This makes it easier for us to have the classes that we do have. The bicultural aspect of bilingual education is very important because it helps to maintain the relationship, a healthy relationship, between teacher and pupil, and also, it asserts a very positive and highly respected image for the student to see one of their own teaching them rather than someone who is a stranger to their way of life.

As far as the funding of the program, we have had difficulty. In September I find there are many teachers who have degrees in education who come to me, but because there is no money, there is no position. But then when I go for these people, I cannot get them.

There should be some aspect in the funding of the program to take into consideration people who have graduated from highly qualified universities in Latin America, but do not meet New York State, much less New York City, certification and licensure.

Because they cannot go into the mainstream of American education, they should at least be afforded an opportunity to teach bilingual students or students whose native language is other than English, which they are familiar with.

The one thing with which I am deeply concerned is the teacher training aspect of bilingual programs. The teacher training programs should be open to all teachers, including teachers who are currently teaching.

Sometimes one part of the program eliminates the teacher because he is teaching, and so forth. The bilingual teacher has an almost impossible task placed upon him. It was brought out, but not to its fullest, earlier.

The teacher is required to be not only proficient but fluent in English and Spanish, or some other language, but also know the material, the subject matter, the meat of the education in two languages.

Even if we ask any teacher, let's say a teacher of science, to discuss social studies in English or to discuss math, you will find that a teacher, even in his own native language, is at a loss.

And the bilingual teacher is expected to know this and get it across to the students. The teacher training program should take into consideration all of this, and also the bicultural program should have a kindergarten through grade 12, which is where public compulsory education ends.

And something should be done about encouraging young people who have finished school to go into education, to realize the need for continuity of the bilingual program. The funding, if it could be pushed up, would kill that period of suspense and uncertainty for the students as well as the teachers.

Mr. BADILLO. Thank you very much. You have outlined pretty completely some of the concerns.

Mr. DuBois. One more thing. The Haitian students that were asked by Mrs. Chisholm, how did they feel, and the Greek man said the students went home saying they didn't want to be Greek.

I have heard this over and over again from students who wanted to change their name from Rodriguez to Roderick. Today they call themselves Rodriguez and use the proper accents. The bilingual program has helped immensely to develop this personal pride in themselves.

They admit we are Americans, we are all Americans, and the fact that they are Spanish-speaking, they are proud of, which did not exist before.

Mr. Badillo. I am certainly aware of that. If you look in the phone book in Westchester, you will find a lot of Rivers that didn't exist either. That's Rivera. A lot of Martins for Martinez.

However, I want to tell you there are a lot of Congressmen who have changed their name too. They will understand.

Thank you very much for your testimony.

Now we have Mr. Marco Hernandez from the Office of the Chancellor of the Board of Education.

STATEMENT OF MARCO A. HERNANDEZ, DEPUTY EXECUTIVE ADMINISTRATOR, OFFICE OF BILINGUAL EDUCATION, NEW YORK BOARD OF EDUCATION

Mr. Hernandez. It is really an honor to be here today. My name is Marco Antonio Hernandez. I know what the last speaker is referring to.

In my testimony I was going to present briefly one of the major events that has taken place in New York City, and that is the creation of the bilingual office. In leading to that point I would like to touch on some of the items that have been discussed before.

I think that any legislation we are contemplating in this area of bilingual education must deal specifically with some of the items discussed before. Superintendent Rodriguez mentioned the fact that the recruitment and training of personnel is an important aspect and should be considered.

The year to year recycling of programs, the uncertainty of these programs, creates a tremendous amount of problems. Frank Nieves, a Board member, mentioned the fact that there must be some way of reaching the public with the information and a provision could be established in terms of research.

This has been indicated in the present legislation but I think it needs further clarification. Awilda Orta presented some of the problems in terms of expansion to the high school level and the secondary school.

I think that, as the first Puerto Rican principal of a high school in the city of New York, I am very much aware of what bilingual education can do. I had one of the most difficult high schools, in the city of New York, Eastern District High School in Williamsburg, where the average attendance rate went from 52 to 60 percent, where we developed a bilingual program and the attendance in that particular component was anywhere from 85 to 90 percent, so there was an immediate change in terms of discipline and in terms of the actual involvement of the students in school activities. It was a dramatic change despite the fact that this program has only been functioning for less than 2 years.

As we know, there has been some growth. I call it in my presentation dramatic growth. We can't single out any specific reason although I see title VII, as soon as the 1965 legislation took place, it was able to bring together some of the factors.

The pressures were there. The communities were asking, as Mr. Noel Bonilla from Suffolk County indicated, he is in the process of moving that community so that we cannot disregard at any moment that input from the community.

In New York City we had taken some steps to change this. Of course, one is the establishment of the Office of Bilingual Education in August of 1972. This provided an opportunity to bring together and coordinate the efforts for the first time.

It hasn't been a tremendous change but certainly, as I like to say, it has been a deep scratch.

Mr. BADILLO. I certainly support the Office, and I will include your full statement in the record.

[The document referred to follows.]

PREPARED STATEMENT OF MARCO A. HERNANDEZ, DEPUTY EXECUTIVE ADMINISTRATOR, OFFICE OF BILINGUAL EDUCATION

In the past five years we have seen a dramatic growth in the level of activity in the field of bilingual education. We cannot single out any specific reason, but we can say that the enactment of the ESEA Title VII legislation in 1965 provided for a movement which is essence brought together many factors of pressures and hopes and thus bilingual education was abruptly off the launching pad. But as we know from past experiences, an abrupt launching and abrupt reforms can at times consume energies and frustrate the hopes of many educational reformers and other concerned citizens. It has been said that the "time lag" required for wide-spread adoption of new educational ideas is considerable. It has been estimated that the average American school lags twenty-five years behind the most advance practices. There is no doubt that we have this problem in New York City as well as inthe state of New York. This lag in educational practices may be due to the absence of essential sources for the spread of innovations, the lack of agents of change to promote the new ideas and the lack of economic incentive to adopt the new ideas. In addition, there has been a general apathy toward change in public education. This apparently can be attributed in part to the fact that public schools are cultivated, that is, unlike more competitive business organizations, schools are guaranteed a clientele regardless of how outmoded and how irrelevant there practices might be.

In New York City we have taken a step to change this setting. The establishment of the Office of Bilingual Education in August 1972 was a significant chapter in the struggle for justice and equal educational opportunities for our people. But the sad truth is that we have merely scratched the surface. However, it has been a deep scratch. Let me give you an idea of what our task is like. In New York City alone approximately 263,000 Puerto Rican pupils attend the public schools. Add to this number an estimated 50,000 Cubans, Dominicans, Columbians, and other Hispanics and we are talking of more than 300,000 students all facing the problems of a large city. But in addition, all but a small percentage separated from the physical, philosophical, ethical, and linguistic concepts of their culture. The estimated drop out rate for these students has been put in certain sectors of the city, as high as 85%. Of those who survive to the 8th grade, 60% are three to five years below reading level. So it is not unusual to hear within this community that the longer a Puerto Rican child attends public school the less he learns. Whether this is true or not we cannot disregard the very tragic statistics that point to the fact that somehing is wrong with this system, and that some affirmative corrective action must be taken. A monolingual and monocultural school system can only succeed in condemning whole generations of children to lives of poverty and despair. Although my main thrust thus far has been in presenting a very sad picture in terms of the education of the linguistically and culturally different pupil within the Hispanc groups and specifically within the Puerto Rican community, the fact remains that in addition to the Spanish-speaking youngsters there are over 40,000 youngsters in this city who are classified as having English language difficulty, and whose home languages include Chinese, French, Italian, Greek and others. There is no doubt that these students meet very similar problems and therefore, programs have to be designed to meet their needs. We have done some work in this area, and as a result of it, we have been able to establish on a very limited basis, programs to service some of the aforementioned pupils.

HISTORICAL OVERVIEW

New York City as the main gateway for millions of immigrants and inmigrants became the most culturally diversified city in the country and so it followed that centers of ethnicity were established; such as El Barrio, Little Italy, Chinatown, Yorkville, Williamsburg, and Harlem. These centers maintained within their confines their heritage and their various cultures. However, outside the schools usually associated with private and parochial education there is no record of bilingual instructions or special programs in the public schools for non-English speaking students. Moving within this framework of diversified cultures and languages and perhaps embracing the melting pot theory, the legislators in New York State initiated a process of Americanization of the educational system. This naturally included the preservation of the national language, and so without any psychological or educational rationale, the legislators passed the 1920 law which required all instruction to be conducted in the English language. In 1973 this law is still in existence. Although in 1969 and 1970 amendments were made which modified the English requirements as follows:

"English shall be the language of instruction and textbooks used shall be written in English except for a period of three years from the date of enrollment in school. Pupils who, by reason of foreign birth . . . experience difficulty in reading and understanding English, may at the discretion of the school districts and Board of Education . . . be instructed in all subjects in their native language and in English . . . in no event shall a bilingual program of instruction for any one student exceed three successive years."

There is no doubt that the Bilingual Education Act had a dramatic impact by making it possible to modify a law that had existed since 1920.

The Board of Education of the City of New York conducted a study entitled the *Puerto Rican Study*. The major purpose of this study that was conducted from 1953 to 1957 was to find out the best way of educating non-English speaking Puerto Rican pupils. Among its main objectives were: (1) What are the most effective methods and materials for teaching English as a second language to Puerto Ricans? (2) What are the most effective techniques the school can promote to help the Puerto Rican to adjust to the community? (3) Who are the Puerto Rican students in the New York City schools? The Puerto Rican study marked a historical first in a system that had for all intensive purposes ignored the special needs and abilities of the non-English speaking youngsters. Surely we can find many limitations, but nevertheless we cannot ignore how extremely significant this study was. Thus this was the first attempt to formulate a solution to the probelm, and it went on to recommend areas for further study without considering its finding to be the final answer. Among its many recommendations there is one which begins to deal with the question of bilingual education. It suggested that the Board of Education should take a new look at the philosophy governing the education of non-English speaking children. Does his education involve helping him to forget the language of his parents? Does it involve the creation of barriers between him and his family? The study also recognized the need for some staff members to speak the language of the students, but their role was not directly instructional, therefore they could give advice, training, leadership, screening, and testing pupils. After 1957 there were no dramatic changes despite the recommendations made as the result of the aforementioned report. The best policy of "English only" continued. Some new materials and methods for the teaching of English as a second language were developed. In 1963 Dr. Calvin Gross, then Superintendent of Schools urged that

Puerto Rican children and new arrivals to the city be able to develop biculturally and bilingually. In 1965 the Board of Education issued a policy statement that bilingualism and biculturalism should be encouraged for all pupils, basically Spanish speaking ones as an aspect of excellence which will benelt our community and nation in relationship to a multicultural world. Unfortunately, this as well as other innovative ideas were never effectively put into operation. In 1967 Dr. Bernard Donovan, Superintendent of Schools, testified before the House General Subcommittee on Education and he said "We are dedicated to the bilingual approach of this education program (Title VII) although we stressed the importance of full command of the English language, we also believe in the maintenance and strength of the child's language skills in the native tongue of the student or their parents. Bilingual programs can provide superior educational benefits." For one reason or another these statements made by leaders within the Board of Education were rarely translated into viable policies or mandated as programs in the schools. A rare exception to this and certainly a positive effort was made when the Science Program for junior high school students of Spanish speaking backgrounds was introduced in 1964. In this pilot program science was taught both in Spanish and English. Materials were prepared in both languages through the conclusions obtained indicated the effectiveness of bilingual instruction. The program expanded only at a very modest rate. Number of students reached never exceeded 2,000. One of the most significant events was the establishment of the City Wide Commission on Bilingual Education. This was followed by the establishment of the Office of Bilingual Education and the selection of its Executive Administrator.

AMERICA'S CHALLENGE

"Bestow great attention on Spanish and endeavor to acquire an accurate knowledge of it. Our future connections with Spain and Spanish America will render that language of valuable acquisition. The ancient history of that part of America, too, is written in that language."

Thomas Jefferson,
In a letter to his nephew,
Peter Carr, 1787.

As we approach the eve of the bicentennial celebrations of the American Revolution, it is of extreme importance that we re-examine the ideas of the Founding Fathers and apply them to the most recent and fundamental issues of public education in the United States. In 1776, the young American giants, many of them in their thirties, knew how to put men and ideas together. Their ideas were not isolated nor restricted to one country or one language. Indeed the same ideas were being expressed throughout the world and they listened and incorporated the basic tenets of freedom in a message that somehow has never been fully understood. Daniel Webster summed it up this way: "The whole world is becoming a common field for intellect to act in. Energy of mind, genius, power, wheresoever it exists, may speak out in any tongue, and the world will hear it. A great chord of sentiment and feeling runs through two continents, and vibrates over both. Every breeze wafts intelligence from country to country; every wave rolls it; all give it forth and in turn receive it."

Bilingual education is finally beginning to come into its own in the American nation. The facade that enabled Americans to pretend that they were culturally monistic in ther internal affairs is finally being recognized as no more than that: a facade with profoundly anti-democratic and anti-intellectual implications. Americans in general and American educators in particular are so accustomed to a seemingly monolingual environment that they are likely to be surprised by the extent of bilingualism.

The United States is the fifth largest Spanish-speaking country in the world. There are approximately three million children of primary school age in this country who can speak a language other than English and in many cases they can only function in that language. In 1974, we find more than 360,000 pupils whose home language is not English enrolled in the school system of the City of New York. It is wasteful, if not downright criminal, to remain oblivious to conditions that cause language loss in these children. It will be beneficial for this nation to foster the maintenance and development of this human resource. Bilingual education can contribute to this end.

Rene Cardenas and Lily Wong Fillmore in a recent article state: "We Americans have always been ambivalent about our multicultural immigrant origins. On the one hand, we acknowledge with pride that we are the unique hybrid of many ethnic and linguistic stocks. On the other hand, we have traditionally felt embarrassment about these mixed roots and have tried to hide their traces."

Endorsement of the notion of multicultural education has been impressive. On November 1971, the American Association of Colleges for Teacher Education adopted a statement on multicultural education that read in part: "To endorse cultural pluralism is to endorse the principle that there is no one model American. To endorse cultural pluralism is to understand and appreciate the differences that exist among the nation's citizens. It is to see these differences as a positive force in the continuing development of a society which professes a wholesome respect for the intrinsic worth of every individual."

Our educational institutions must be committed to the development of a social system whose fundamental tenets shall be based on the dignity of each individual. At this crucial period of its history, our great nation must move forth and bring to fruition the basic concepts of the American dream.

Marco A. Hernández,
Deputy Executive Administrator
Office of Bilingual Education.

Biographical Sketch: Marco A. Hernández

Mr. Marco A. Hernández, a native New Yorker whose parents came from Puerto Rico in the late 1920's, was born in "El Barrio", East Harlem. At age 6, his family returned to Puerto Rico where he attended public school from grades 1–7. Returning to New York in 1948, he attended junior high school and high school in Brooklyn, and entered Brooklyn College where he earned his B.S. and M.A. in 1959 and 1965, respectively.

Mr. Hernández taught languages and English as a Second Language at Junior High School 49 in Brooklyn, from 1959 to 1963. In 1963, he was appointed to Thomas Jefferson High School, Brooklyn, as teacher of Spanish where he also served as Dean of Boys. As Faculty Advisor, he helped organize the ASPIRA Club (the Puerto Rican youth self-help agency) and helped direct a bilingual program at Jefferson in three subject areas: History, Mathematics and Science.

In 1969–1970, he received a Ford Foundation Fellowship to Fordham University to continue his studies in school administration and supervision and where he earned a Professional Diploma in Educational Administration. This program was designed with the purpose of preparing members of minority groups to become principals in the New York City school system.

In 1970, he was selected as co-director of a 7th grade Annex of Junior High School 98 in Districts 8 and 12 in the Bronx where he helped organize a program which included language instruction for all the 800 youngsters attending the school.

In August, 1971 he was appointed Principal of Eastern District High School in Brooklyn, where he promptly organized the first Mini-Bilingual School at the high school level. The school currently was awarded a title VII grant for the development of bilingual instruction.

In October of 1972 he was transferred to the Office of Bilingual Education at headquarters to serve as Deputy Executive Administrator to Mr. Hernán LaFontaine.

Mr. Hernández has been an exponent of bilingual education and has been very active in several professional and civil organizations. He has also taught at Hofstra University, Fordham University and Hunter College.

Mr. Hernández is currently the President of the Puerto Rican Educators Association.

Mr. Badillo. Since you are here and Mr. La Fontaine is here and he really didn't get a chance to answer questions, except those which I asked him this morning. I would like Mr. La Fontaine to come up now because the testimony we have had today—both of you have been here throughout the day—comes from different groups throughout the city; Italians, Greeks, Chinese, Haitians, Dominicans, Puerto Ricans.

It seems to indicate something generally not recognized throughout the city, that there is a tremendous migration of new people coming into New York City. The impression that most of the people in the city, certainly the impression most people in Washington have, is that the migration to New York City has ceased, except possibly from Puerto Ricans and blacks.

That is not what this testimony indicates at all. I think it is very important that we find a way to get to the bottom of this. Throughout the day I kept asking if there were any surveys made, not just about where the people are in different programs but where they are coming from, what is going on.

I would like to know whether you have had the opportunity in your bilingual education division to make such a survey, or do you have any plans to make such a survey?

Mr. La Fontaine. At the present moment we are involved, as you know, that is, the board of education is involved in a suit that has been brought by Aspira regarding the denial of equal educational opportunity to Puerto Rican students, and as a result of this, a survey is being made now to determine or identify the numbers of students.

But I think you are asking something beyond that.

Mr. Badillo. We know, as the principal testified back there, that if you have a school in Brooklyn where there are Haitians and Dominicans, we know they are coming from somewhere. What I am talking about is not who is here now but who is coming.

The gentleman from Greece testified that 40,000 Greeks are coming in every year. Is this something that just happened? Is it going to happen again, or is this the beginning of a larger migration?

In other words, we have always been caught short in New York City, as we were with the Puerto Ricans. Nobody realized they were here until there were half a million Puerto Ricans. All of a sudden it became a crisis.

In just 1 day's testimony it is clear to me there is a massive migration. I wonder if anybody left here who was here, because it seems every group starts to testify that their numbers have increased in the last few years.

I would like to get your offhand reaction to the idea of making an application to Washington under ESEA for Federal funds to conduct such a study to find out how many children you have here who need bilingual education, and what is happening with the migration, whether there is a growing migration from Colombia, the Dominican Republic, Greece, Italy, or Formosa, so that we can begin to plan ahead.

The other recurrent theme mentioned by Mr. Hernandez is the fact that funds are not available in time. One of the problems is that you don't know what you are going to do next year. If you open a school and the enrollment is 10 percent Dominican, suddenly it can be 80 percent Dominican, so if you have an idea of what the projected problems are 5 years from now, it might be possible for us to begin now to get the kind of funds you are going to need 5 years from now.

Mr. HERNANDEZ. I think there has been a tremendous interest in terms of bilingual education in other communities. I think part of it has been the results that have taken place within the Puerto Rican community, and many of the communities are coming to us for that kind of experience.

Also, we can see a change because there is a census conducted every year in terms of the language ability survey, and in certain cases you can pinpoint that growth. For instance, you mentioned the Italian community. There has been a tremendous increase and, as a result of some of the programs we have been able to initiate in our office, we have been able to at least establish, on a limited basis, prorgams for the Italian community.

And as they develop, there is an interest all throughout the city. So I think part of it is the research that you have indicated, and I agree that once we get that information that Mr. Nieves indicated to the public, there will be a tremendous awakening and they will be looking forth to push for this type of program in the city.

Mr. BADILLO. Mr. La Fontaine, what do you think about developing such a proposal?

Mr. LA FONTAINE. I think it is an excellent suggestion because one of the things I experienced as a principal of a school was that you can't just plan for tomorrow, you have to do long-range planning.

This kind of data that you are suggesting we should get is exactly the information we need to be able to plan intelligently for 3, 4, 5 years in advance. We see it as reflected in the school registers.

Everytime there is political turmoil in the South American countries, the registers in the schools immediately begin to reflect it. You see an increase in the number of students from Ecuador, Colombia, and so on.

I think there should be a possibility to do this kind of research and get some valuable data from it.

Mr. BADILLO. Of course, they don't know there is political turmoil in this country too.

Mr. SALVO. My name is Tony Salvo from Patchogue, Long Island. I cannot speak for New York City but as far as migration goes, the number of people we have in our community in Patchogue we can give. Our problem is not that.

Our problem is legislation regarding title I and title VII. This is not being enforced.

Mr. BADILLO. Yes, I know. We discussed that before.

Mr. SALVO. This is the area when you think 5 years from now.

Mr. BADILLO. Your problem, as I mentioned before, is the need to have legislative oversight so we can see how the law is being enforced or not enforced, particularly in Long Island. Here in New York City, where they do have enforcement, it has gotten to the point where it is a difference in bilingual education, which is a point we hope you will get to in central Islip.

Here the problem is that migration takes place and, to be honest about it, in many cases it is illegal migration. That is one of the difficulties, one of the reasons we can't get other Federal agencies to get information because the people will not give a straight answer to the Census Bureau.

They are afraid that if they do, they are going to be deported the next day. Therefore, the board of education has a very specific function. It is not their business to determine whether the person is here illegally or legally. The point is that there are kids who need to be educated and they cannot wait for the Immigration Service to solve the problem of illegal aliens.

They have the direct responsibility to find out who needs an education. If we get caught in that, nobody gets the facts because of that problem.

What I am proposing is that whatever the other agencies may or may not do, perhaps now that there is a division of bilingual education, there is a unit around which it might be possible to submit an application to find out what is the change in composition of the city and how much can we expect it to change in years to come.

Thank you very much for your testimony. We are going to have to be out of here in a couple of minutes.

I just want to add to the record the statement of Prof. George Young.

[The document referred to follows:]

PREPARED STATEMENT OF GEORGE YOUNG, PRESIDENT, NATIONAL FEDERATION OF CHINESE HERITAGE AND CULTURE GROUP, NEW YORK, N.Y.

Mr. Chairman, Congressmen: I am George Young, President of the National Federation for Chinese Culture and Heritage in the United States.

First let me express my appreciation to you for coming here to conduct this public hearing on the bi-lingual problem.

Because of changes in the immigration laws in recent years, many more Chinese are coming into this country from different parts of the world. Most of them have difficulty with the English language, especially the younger generation. Although there is a bi-lingual system in some schools, it is far from sufficient to meet the need. I have been appointed assistant examiner of the bi-lingual program of the City of New York and know that many apply to teach in Chinese who are very well qualified but, because of lack of funds, cannot be given the opportunity to meet this urgent requirement.

Congress is the most powerful arm of our government and, on behalf of our organization, I have the honor to request that this matter meets with your favorable consideration and that there will be more bi-lingual programs in the schools of our country, as soon as possible.

[Whereupon, at 3:00 p.m. the subcommittee adjourned.]

[The following material was submitted for the record.]

PREPARED STATEMENT OF THE U. S. COMMISSION ON CIVIL RIGHTS

The United States is a multilingual multicultural society. Our general reluctance to accept this phenomenon, either offiially or unofficially, makes it no less of a reality, especially for the countless Americans who most directly experience it. In thousands of homes throughout this country parents and children speak to each other, not in English, but in Spanish, Cantonese, Navajo, Portuguese, Italian or French. When these children enter school they bring with them their own distinct language and cultural backgrounds which differ, often drastically, from those on which the school program is based. Under these circumstances

Mexican American, Puerto Rican, Asian American, and Native American children do not begin school with the same chance for success as other children, and the resulting record of the school's educational failure with these children dramatically attests to that fact. These national origin minority children, no less than our English speaking youngsters, have a right to quality education. They deserve the full commitment of educational agencies at the Federal, as well as the State and local levels, to achieving that goal.

A number of recent developments make this a particularly significant time in the important nation-wide effort toward the goal of achieving quality education for national origin minority children. The Supreme Court ruling in *Lau v. Nichols*, 414 U.S. —, 94 S.Ct. 786 (1974) has affirmed the Department of Health Education and Welfare's (HEW) interpretation of Title VI of the Civil Rights Act of 1964 to the effect that the school's failure to educate students in a language they can understand denies these students equal educational opportunity in violation of that Act. Congress this year has before it extremely important legislation to extend and strengthen the Bilingual Education Act, also known as Title VII of the Elementary and Secondary Education Act (ESEA). Recently, State governments and local educational agencies have begun to commit resources and funds for bilingual education programs and these agencies are looking to the Federal government for leadership in the full development of effective bilingual education programs. Finally, this Commission has recently completed a five year study documenting the schools' failure to educate Mexican American students, in which it was concluded that the language and cultural background of Mexican American students must be integrated throughout the educational program if equal educational opportunity is to become a reality.

In light of these important developments the country is now at a crossroads with respect to educational planning for language minority children and, in effect, for all children in our schools. It is altogether appropriate that this Subcommittee should be reassessing the overall Federal role in securing quality education from language minority students. Specifically, it is fitting that we ask such questions as "What are the implications of *Lau* for HEW's Title VI enforcement efforts with regard to national origin minority students?", "What should be the Federal policy with respect to bilingual bicultural education programs supported by Title VII of the ESEA?", and "What should be the relationship between Title VI enforcement efforts and the goals and structure of Title VII programs?".

In brief, the Commission's position on each of these three questions is as follows:

(1) The Supreme Court in *Lau* did not expand HEW's responsibilities under Title VI of the Civil Rights Act of 1964; rather, it ratified HEW's existing guidelines interpreting that law.

(2) Title VII of the Elementary and Secondary Education Act should be strengthened and expanded so as to assure adequate funding of developmental demonstration projects in bilingual bicultural education, and to provide for the development of trained staff and curriculum materials for bilingual bicultural education.

(3) The experience gained from the ongoing operation of the Title VII projects, together with the bilingual education resources developed with Title VII funds, will be useful is assisting school districts in selecting and implementing programs for compliance under Title VI of the Civil Rights Act. Title VII, however, must not become simply a method for funding State and local efforts to comply with Title VI.

LAU AND TITLE VI OF THE CIVIL RIGHTS ACT

In *Lau v. Nichols* the Supreme Court ratified HEW guidelines contained in a 1970 memorandum known as the "May 25th Memorandum." These guidelines, promulgated pursuant to HEW's statutory responsibility to enforce Title VI, require school districts receiving Federal funds to undertake programs to rectify the English language deficiencies of students whose inability to understand English excludes them from effective participation in the educational program. In the words of the Court in *Lau* affirming that position:

"Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful."

In effect, *Lau* did not expand the previous responsibilities of HEW to enforce Title VI; what this Supreme Court decision has done is to draw national attention to the previously existing Title VI requirements. These guidelines, however, have never been adequately enforced. Since the issuance of the May 25th memorandum HEW has reviewed relatively few districts for compliance with the memorandum's provisions and, further, HEW has been extremely reluctant to take enforcement action against districts refusing to comply. Between May 1970 and January 1973 HEW had completed reviews of only 30 districts nationwide for compliance with the May 25th memorandum, and all of these districts were found in noncompliance. Although an additional 23 districts were under review as of January 1973, the total represents a very meager effort, considering the fact that HEW has identified a minimum of 1660 school districts in the country with five percent or more national origin minority children. As of January 1973, more than half of the 30 districts found in noncompliance still had not negotiated a compliance plan with HEW. Several of these districts had been negotiating with HEW for a period of as long as 18 months. Despite the fact that a number of the districts have flatly refused to comply, HEW has not, to date, terminated Federal funds for any of these districts.

This record of HEW's enforcement efforts shows that it has had only a minimal commitment to national origin minority students, most of whom are still being denied an equal opportunity in education. Evidence collected by the Commission in the Mexican American Education Study, and in Commission hearings held on Puerto Ricans in New York and on Navajos on the Reservation, documents the fact that the majority of students from these groups attend schools which fail to provide them with any basic language program. For example, in the Mexican American Education Study principals identified only eight percent of Mexican American students in the Southwest as being enrolled in either bilingual education or English as a second language classes. Further evidence of this lack of language programs for national origin minority students has been reported at Commission State Advisory Committee meetings in California, Connecticut and Pennsylvania. As hundreds of school districts are clearly still in noncompliance with Title VI, HEW should make enforcement action against these districts a high priority in its allocation of staff and resources.

In addition to the provision of language programs, there are other important Title VI equal educational services issues which were not considered in *Lau* nor stated in the provisions of the May 25th memorandum. Title VI states specifically:

> "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

This Commission, as a result of its intensive investigations into the education of Mexican Americans, Navajo Indians and Puerto Ricans in this country has concluded that, in addition to language, other aspects of the educational program can function, just as effectively, to exclude national origin minority children from participation in the school program. In a school system which has previously ignored, and even denigrated, the language and cultural background of national origin minority group students, it is not likely that the mere incorporation of a minimal type of program, whose sole purpose is to teach English, will meet the requirements of Title VI. As stressed in Report VI of the Commission's Mexican American Education Study it is important that the child's cultural background—interests, values, and heritage—be incorporated into the basic design of the curricula. According to basic educational principles, if children are to have a real chance to succeed, the school curricula must build upon what they bring with them to school, which includes their cultural as well as their language background. Thus, incorporation of culture, as well as language, background. Thus, incorporation of culture, as well as language, is a Title VI issue.

Title VI should also cover the training and preparation of the instructional staff. The way teachers interact with students is a key factor in the child's chances for success in school; yet, national origin minority students get seriously shortchanged in this area. It is not uncommon to find teachers of these youngsters who believe that these children have less basic ability and who treat them accordingly. The Commission has documented in the Mexican American Education Study that, on the average, teachers interact less favorably with Chicano than Anglo students in the classroom, and that this results in part from inadequate teacher training. Likewise, testimony presented to the Commission at Hearings on Puerto Rican and Navajo students, indicated that these groups of students also suffer educationally by treatment at the hands of teachers whose training leaves them insensitive to the students' cultural background. Introducing a language program alone, without adequately training staff in the sensitivities, skills and techniques for teaching language minority children, will not likely provide an equal opportunity for success in education.

Thus, for compliance with Title VI, HEW should require districts to institute comprehensive educational programs, rather than remedies designed solely to teach the national origin minority children English. All forms of exclusion from effective participation in the school program must be eliminated in Title VI compliance plans accepted by HEW.

At this time it would not be appropriate for HEW to require the same type of program for compliance from all school districts. A good deal of research and development is still needed in the planning and implementation of truly effective educational programs for national origin minority children. Likewise, there are many variable, such as district size, language dominance, and available resources, which will enter into the program's effectiveness. It is important, therefore, that in accepting a compliance plan from a school district, HEW require the district to provide evidence, on educational grounds, that the program promises to provide equal educational opportunities for the specific population being served. Following the acceptance of a district's compliance plan, HEW should hold these districts responsible for the program's effectiveness through systematic monitoring to extend over several years. Further, the measurement of program effectiveness should not be limited to the children's achievement in English language skills, but should include their achievement in other academic subjects using either English or their native language, and such performance factors as attendance rates, grade repetition and dropout rates.

The Title VI enforcement actions of HEW are extremely significant to the future of education for language minority children. Although recent years have evidence increased activity at the State and local levels in providing programs for language minority students, these efforts are still minimal. Without the full enforcement action of the Federal government, the impact of Title VI with respect to national origin minority students will continue to be inconsequential.

TITLE VII OF THE ELEMENTARY AND SECONARY EDUCATION ACT (ESEA)

Title VII of the Elementary and Secondary Education Act should be strengthened and expanded to assure that programs funded under this Title will provide the necessary leadership and the development of critical resources for bilingual bicultural education. It is important that specific provisions be made for staff training, curriculum development and research in bilingual bicultural education.

In the past five years Title VII has been instrumental in initiating the development of resources and in pointing out critical areas of need in bilingual bicultural education. As few such programs were in existence in 1967, Title VII essentially had to begin with very basic development in the areas of curriculum materials, staff training, program design and evaluation. Almost exclusively through Title VII funds, a good deal has been accomplished in these areas. However, much yet remains to be done before bilingual bicultural education will be a true educational alternative for language minority students.

In light of the important developments in the education of language minority children over the last five years, there is, today, an even greater demand for Title VII to be strengthened and expanded as a full bilingual bicultural effort on the part of the Federal government. The *Lau* decision has directed national attention to the inadequacies of the standard educational program for teaching children of limited English speaking ability. The country is beginning to realize that educational programs for these children can no longer be considered low priority items not demanding a significant investment of staff and resources. Rather, as it is now clear that State and local education agencies have a basic educational responsibility to provide effective educational programs for language minority children, these agencies are beginning to investigate bilingual bicultural education and other types of programs for providing the needed services.

Further, many communities are interested in the implementation of bilingual bicultural programs to achieve objectives which go beyond merely meeting their minimal responsibility for providing equal educational opportunities to minority children. There is a good deal of excitement over the prospects for implementing integrated bilingual bicultural programs, from which English speakers can also benefit by acquiring a facility in a second language and by achieving a bicultural understanding. In addition, many school districts consider the development of bilingual skills as a goal in itself, and are interested in designing programs which capitalize on the children's language resources through continued systematic language training in their native language, as well as in English.

Interest in bilingual bicultural education has, thus, multiplied over the last 2 to 3 years. Educators throughout the country are looking to the Federal government for direction, and also for assistance in developing the necessary resources of trained staff, curriculum materials, and evaluation instruments. There is much need for new Federal legislation on bilingual bicultural education which would authorize full funding for Title VII and specifically provide for meeting the most critical needs in bilingual bicultural education. Specific provisions should thus be made in the legislation for: staff training; curriculum development; research, including the development of valid assessment instruments; and funding of demonstration projects which will systematically provide information on the implementation of various alternative bilingual bicultural education program designs.

Between Fiscal Year (FY) 1968 and FY 1973 appropriations for Title VII never exceeded 35M, despite the fact that authorizations for the program were 135M in FY 1973. Most of these funds were used directly for demonstration bilingual education programs. No funds were set aside specifically for the training of bilingual bicultural staff, and only a small proportion of the funds were set aside for curriculum development. This meant that staff training and curriculum development had to be carried out, in large part, within each individual program, with some assistance from the Title VII support centers. As a result, progress in these areas has been slow and uncoordinated.

In order for bilingual bicultural education programs to be fully implemented in the future, it is necessary that a significant proportion of the Title VII funds be set aside for staff training on a large scale and for the systematic development of curriculum materials for each of the major language groups. This would require that the allocation for Title VII be increased substantially over the next several years in order to continue funding demonstration projects, while assuring the accomplishment of these tasks. This Commission supports the level of authorizations for Title VII specified in the proposed Senate legislation of 135M for the first year with increasing authorizations each year to reach 175M in FY 1977 and FY 1978. We also support a specific provision in the legislation which will set aside for staff training 50 percent of the funds appropriated for Title VII between 35M and 60M and one third of the funds appropriated above 60M.

Research in bilingual bicultural education, another critical area of development, should also be provided for in the legislation. As it is appropriate that this type of systematic research be carried out by the National Institute of Education (NIE), we support a provision in the legislation which would require that at least five percent of NIE's budget be set aside for research specifically in bilingual bicultural education.

The Title VII demonstration projects and the NIE research in bilingual education would serve distinct, but related, functions. The Title VII projects should be directed primarily at providing experience in the implementation of alternative types of bilingual programs. All programs funded under Title VII should, at a minimum, provide bilingual bicultural instruction until the child can function as effectively in English as in his or her native language (transitional programs). Beyond this, programs selected for funding under Title VII should demonstrate the various types of alternatives in bilingual bicultural education according to different types of objectives and different types of communities. Thus, Title VII would fund a spectrum of types of bilingual programs from the most limited transitional type for non-English speakers only, to the most comprehensive integrated bilingual programs designed, not only to teach English to non-English speaking children, but also to fully develop their native language and cultural resources, as well as to provide English speakers with the opportunity to become bilingual.

The evaluation of these demonstration projects should be designed to provide much needed information on the inputs, processes and outcomes of the various types of programs. These data are required for the refinement of program design, curriculum materials, and staff preparation activities.

The major role of the National Institute of Education in the effort should be to conduct systematic research in effective bilingual education approaches and to develop needed assessment instruments for evaluation. The information obtained from the evaluation of the Title VII demonstration projects would be valuable in generating hypotheses for systematic controlled experimental research by NIE, which would be designed to determine what program components may be most effective for given objectives and under what types of settings.

Assessment of bilingual bicultural education programs to date has been seriously hampered by the total lack of evaluation instruments validated for bilingual bicultural children. In order to accurately evaluate the effects of a bilingual program, instruments for measuring the following must be developed: achievement in English language skills; achievement in native language skills; achievement in academic skills through the medium of English; achievement in academic skills through the native language; measures of language dominance; and attitudinal measures of self concept, attitudes toward learning, and attitudes toward other ethnic groups. As research and evaluation in bilingual education are largely dependent on such instruments, their development should be a high priority item for the National Institute of Education.

THE RELATIONSHIP OF TITLE VII OF ESEA TO TITLE VI OF THE CIVIL RIGHTS ACT

In relation to HEW's Title VI Civil Rights enforcement efforts, the role of Title VII of ESEA is to assist the districts in complying with Title VI by providing experience in effective bilingual bicultural program alternatives and by supporting the development of staff and curriculum resources for bilingual education. The role of Title VII should not be to directly fund State and local efforts to comply with Title VI.

It is our understanding that one of the alternative directions being considered for the Title VII programs at this time is, essentially, to channel present available funds into the maximum number of programs possible which would be designed solely to meet the minimum requirements of Title VI of the Civil Rights Act of 1964. This Commission strongly opposes this alternative.

This approach would leave to the Federal government the financial responsibility for assisting the districts in meeting the minimum requirements for compliance with Title VI. Aside from the fact that there is some question regarding the legality of using Federal funds to finance basic educational services which are the responsibility of local school districts, this approach for Title VII would be a very detrimental one to the future of education of language minority children.

According to Title VI requirements, the provision of equal educational services to minority children is the basic responsibility of school districts as a condition for their receiving federal financial aid. If HEW were adequately enforcing the law, school districts failing to meet the minimum requirements of Title VI would be threatened with fund termination, not rewarded with federal program funds to meet their minimum responsibilities. Were Title VII to become merely a supplement to the Title VI enforcement program, it would seriously discourage school districts from relying on their own resources to come into compliance.

Further, Title VII of ESEA was never intended as a means to provide only the minimal services to the maximum number of needy children nationwide. The intent of the original legislation was to fund programs which would serve as demonstration projects to provide alternative program approaches and at the same time to support the development of the resources needed to facilitate implementation on a broader scale. Likewise, this is the main intent of the proposed Senate legislation on bilingual education. Any attempt at this time to narrow the definition of the objectives of the Title VII program would be a serious setback to bilingual bicultural education in this country because it would prevent the development of program alternatives.

In conclusion, the Commission urges the House of Representatives to take the needed action to assure the Federal government's commitment to quality education for national origin minority students. We support the passage of new strengthened bilingual education legislation which will assure that the Federal government will provide the leadership in developing the critically needed resources and in funding alternative types of bilingual bicultural education programs. Secondly, we urge that the needed action be taken to assure the full enforcement of Title VI of the Civil Rights Act of 1964 with respect to national origin minority students so that these students will no longer be deprived of their right to an equal opportunity in education.

Both the Federal bilingual bicultural program and the Title VI enforcement efforts are critical to the future hopes for quality education for language minority children. At the same time, it is important that Congress not allow these two efforts to become identified as one and the same by subjugating Title VII to the Title VI enforcement efforts. Congress should give full support to the Title VII objective of developing bilingual bicultural education as a true educational alternative for our schools. In our multilingual multicultural society, this is an alternative which countless Americans would cherish as a method of achieving the full benefits of our educational system while, at the same time, not being deprived of their own valued heritage.

PREPARED STATEMENT OF DR. HENRY M. RAMIREZ, CHAIRMAN OF THE CABINET COMMITTEE ON OPPORTUNITIES FOR SPANISH SPEAKING PEOPLE

Pursuant to our mandate to advise and seek out new programs dealing with problems that are unique to the Mexican Americans, Puerto Ricans, Cubans and other Spanish speaking Americans, as Chairman of the Cabinet Committee on Opportunities for Spanish Speaking People, I strongly support Bilingual-Bicultural Education.

The Supreme Court decision of January 22, 1974 (Lau vs. Nichols) found that it was discriminatory for a school district not to provide some form of special instruction for non-English-speaking children. I believe that this decision paves the way for recognition of bilingual education as a basic right of the child with limited English speaking ability.

Education has always been the responsibility of state and local governments. Federal involvement has ben directed towards assisting local governments in meeting their educational obligations. The Federal government should act as a catalyst in the development of bilingual-bicultural programs. Local authorities must respond to the educational needs of all students. If the need is bilingual education, they must make a true commitment by redirecting their policies and allocating part of their budget to bilingual-bicultural education. Then and only then are they truly living up to their responsibilities.

While there are a great number of similarities among different Spanish speaking groups within the United States, there are also a number of substantial differences. The Mexican American population in the Southwest entered American society as a conquered people following the war with Mexico in 1848 and their incorporation as part of the Treaty of Guadalupe Hidalgo. Subsequent immigrations have fluctuated in response to political and economic factors in both Mexico and the United States. Consequently, the Hispanic population of the Southwest is not uniform in language ability: some are monolingual in Spanish, some in English, and some are truly bilingual.

In contrast, the bulk of the Puerto Rican population in the continental United States has arrived since World War II. Educationally, these facts have led to a somewhat different set of needs than those of the Mexican American. Because of their recent arrival, most school age Puerto Ricans begin their studies as monolinguals in Spanish.

Another difference between these two groups is their orientation towards the United States. The majority of Mexican Americans, while they may maintain close cultural ties with Mexico, consider themselves to be permanently in the United States. Few return to Mexico to work or spend extended periods of time. They are Americans of Mexican heritage and their employment and educational aspirations reflect this. While Puerto Ricans emigrate to the mainland for precisely the same economic reasons as do Mexicans, most of them do so as a temporary measure. Whether or not they are ever able to return, their aspirations are to do so once they are in a position to prosper on the Island. Consequently, educational plans for Puerto Rican children are not made necessarily in terms of permanent residence on the mainland.

A number of other differences exist between these two principal groups of Spanish speaking Americans but these probably affect educational needs to a lesser extent. It can be said of both groups, however, that they attend schools in a system which does little to accept them as individuals. They are ethnically and culturally different from the Anglo. In many cases, their physical characteristics, their language, and their culture reaffirm to themselves and to others that they are different.

Too many times the system assumes that all students are alike and differences are an indication of a personal handicap on the part of the students. The classroom does not show them their worth. They are generally discouraged from speaking Spanish and their culturally heritage is either ignored or stressed in only the superficial and exotic elements—the "fantasy heritage."

Bilingual Education will change the school system so that it will no longer hamper and belittle the Spanish speaking pupils but will help them increase their pride in their language and their culture.

The educational dilemma of the nation's Spanish speaking population is clearly reflected in data on school holding power, reading achievement and grade repetition. It is also reflected in the percentage of Spanish speaking high school graduates who go on to college, under-representation in the professions and in the lower earning levels of the Spanish speaking. Reliable data of this type on the Spanish speaking is now available from different regions of the country.

While I was with the U.S. Commission on Civil Rights as the Chief of the Mexican American Studies Division, we published a series of six reports on Mexican American education in the public schools of the Southwest based on data obtained from avariety of surveys conducted from 1968 to 1971.[1]

Most educators accept this data as generally indicative of the problem for Spanish speaking nation-wide.

This study shows that the educational system is not directing itself adequately to the individuality and needs of the Spanish speaking student. As a consequence, the tendency is to exert pressure on the student to drop out. In five Southwest states holding power averaged 60.3% for Spanish speaking as compared with 66.8% for blacks and 86% for Anglos. The state breakdown is as follows:[2] Arizona, 81.3; California, 63.8; Colorado, 67.1; New Mexico, 71.1; Texas, 52.7.

My personal visitations to schools with high Spanish speaking concentrations around the country confirm that the crisis outside the Southwest is similar and perhaps more acute.

Specific data on some areas with high Puerto Rican concentrations have also been collected by such groups as the Puerto Rican Education Association.[3]

In other areas of the country the problem appears to be substantially worse: In Hartford, Connecticut[4]—only 10% of Spanish speaking students graduate.

In Springfield, Massachusetts[5]—in a high school with 313 Puerto Rican students, a total of 90 of these students dropped out within one year.

In New York City[6]—not counting the attrition in elementary school and in junior high school, only 43% of the high school students in tenth grade ever graduate.

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[1] Ethnic Isolation of Mexican Americans in the Public Schools of the Southwest; The Unfinished Education: Outcomes for Minorities in the Five Southwestern States; The Excluded Student: Educational Practices Affecting Mexican Americans in the Southwest; Mexican American Education in Texas: A Function of Wealth; Teachers and Students: Classroom Interaction in the Schools of the Southwest; Toward Quality of Education for Mexican Americans.

[2] U.S. Commission on Civil Rights, *The Unfinished Education*, pp. 15-19.

[3] Puerto Rican Education Association, Inc., "The Education of the Puerto Rican Child in New York," February, 1972; New England Regional Council, *Overview of the Problems Encountered by New England's Spanish Speaking Population*, July 1970; Pennsylvania Advisory Committee on U.S. Commission on Civil Rights, *In Search of a Better Life*, January 1974; Isidro Lucas, "Puerto Rican dropouts in Chicago: Numbers and Motivations," March, 1971.

[4] State of Connecticut. *The Report of the Governor's Council on Spanish Speaking Opportunities*, 1973, p. 31.

[5] Massachusetts State Advisory Committee on the U.S. Commission on Civil Rights, *Issues of Concern to Puerto Ricans in Boston and Springfield*, 1972, p. 9.

[6] U.S. Commission on Civil Rights, "Staff Report-Public Education for Puerto Rican Children in New York City," p. 1.

In New Jersey[7]—46.2% of Puerto Rican males aged 16-21 were dropouts: the overall occurrence of dropout was four times as frequent for Puerto Rican youngsters as for non-minority youth.

In Chicago, Illinois[8]—71% of Puerto Rican students drop out of high school. Another indication of the damage is under-achievement. While under-achievers are still enrolled, they are behind their classmates and probably very discouraged with school. In the Southwest 40.2% of the Mexican-American students are two or more years behind their grade level in reading by the senior year of high school. This compares with 18.8% for Anglos. State breakdowns are as follows:

[In percent]

	Spanish speaking	Anglos
Arizona	61.1	35.8
California	38.7	18.4
Colorado	40.4	14.5
New Mexico	28.3	16.0
Texas	44.0	[1] 16.3

[1] "The Unfinished Education," op. cit. pp. 25-30.

In other areas of the country, under-achievement is also evident. The figures for Boston indicate that 45.1% of Puerto Rican high school students have been held back at least one year. Furthermore, 10.5% were three years behind their class.[9] In New York City, 81% of the eighth grade pupils in schools which are predominantely Puerto Rican are behind grade level in reading.[10]

On the basis of this data it appears that the Spanish speaking do not enjoy equal educational opportunity in the U.S. educational system. Because the schools are dysfunctional in relation to them and to their needs, about half of the country's Spanish speaking students do not finish high school. Most of those who do finish are substantially behind their Anglo peers and have probably been so "turned off" to education that they will not continue their education beyond high school.

UNDER-REPRESENTATION IN THE PROFESSIONS

The Spanish speaking represent approximately 6% of the population of the United States. Recent statistics indicate that only 2.1% of the full time undergraduate enrollment in colleges and universities is Spanish surnamed. Further, only 1.2% of the general graduate school enrollment, 1% of the medical school enrollment, and 1.1% of the law school enrollment is Spanish speaking.[11] It is estimated that in engineering less than ½ of 1% of the graduates are Spanish speaking.[12]

Since the figures have shown relative gains in recent years, actual representation in the professions for which college and graduate school training is a requisite, is notably less.

INCOME AND EDUCATION

Individual income in this country bears a direct relationship to education. A college education is a requisite for most professional jobs. Consequently, the Spanish speaking earn substantially less than do non-minority persons. For example, in the Northeast, the average income for non-minorities was $3,582. While 8.6% of all persons in that area were below poverty level in income, 31.5% of the Spanish speaking were below poverty level. In the western part of the United States the figures were somewhat better. Spanish speaking on the average earned $2,225 per year, while non-minorities earned $3,493. The percentages for persons below poverty level were 19.1% for the Spanish speaking and 10.6% for all other persons.[19]

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[7] Puerto Rican Congress of New Jersey, Inc., "Socio-Economic Profile of New Jersey's Puerto Ricans," p. 5.

[8] Isidro Lucas, *Puerto Rican Dropout in Chicago*, p. 23.

[9] *Issues of Concern*, op. cit. p. 8.

[10] Staff Report—Public Education for Puerto Rican Children in New York City," op. cit., p. 1.

[11] Office of Civil Rights, Health, Education and Welfare, *Ethnic and Racial Enrollment Data*, Fall 1970; Association of American Medical Colleges, Data for Fall 1973.

[12] Figures provided for 1973 by National Academy of Engineering.

The U.S. Commission on Civil Rights studies on Mexican American education conclude that the greatest factor in determining the academic performance of pupils is the socio economic status of the family. Consequently we can assume that efforts in the area of equal employment opportunity and upward mobility for Spanish speaking will have a positive effect on academic achievement of these students.

BILINGUAL EDUCATION

By definition bilingual education is the means by which school can be made relevant and more functional in meeting the needs of the non-English speaking child. The Title VII Federal Program is designed to help develop the most effective approach to education for bilinguals. The Multicultural Task Force of the National Institute of Education is also lending its efforts to achieving this goal. One thing is clear—providing a token effort of instruction in English as a second language will do little to secure equal educational opportunity for these children. Bilingual education must, in some way, deal with the problems faced by multi-cultural child in a one-culture education system. It must somehow permeate the entire educational experience of these children. Instead of limiting itself to language skills it must deal with the much greater, but more subtle, problem of self-image.

I also support the following changes and activities in the field of bilingual education:

(1) The expansion of state and local activity in bilingual education since final responsibility for elementary and secondary education finance belongs at this level.

(2) An increased funding of Title VII to beyond the $35 million level at which the program has been funded. These additional funds should be specifically designated for a new diversity in the type of projects funded and their systematic evaluation in order to identify the most successful approaches.

(3) The setting aside of funds through the Title VII program for the training of bilingual teachers.

(4) The expansion of the staff of the Office of Civil Rights of the Department of Health, Education and Welfare to whatever number is necessary for effective monitoring of local education agencies.

(5) Improved communication between the Office of Civil Rights and local education agencies through correspondence and conferences on the topic of the legal responsibilities they have concerning the child of limited English speaking ability.

(6) The U.S. Commission on Civil Rights should be given the responsibility of providing critical evaluation of bilingual education models in order to establish the real effect of each alternative. This evaluation should attempt to determine the different requirements of different groups of Spanish speaking/surnamed students e.g.: 1) monolinguals in Spanish, 2) monolinguals in English, 3) bilingual children, 4) children who may not have adequate capacity in either of two languages.

BOARD OF EDUCATION
OF THE CITY OF NEW YORK,
Brooklyn, N.Y., March 22, 1974.

Congressman MARIO BIAGGI,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BIAGGI: As per our recent conversations regarding bilingual education and cultural pluralism as it relates to the Italo-American community, please be advised of the following:

Italians in the United States constitute numerically, culturally and politically, an important minority group, second only to the Spanish speaking communities (whose number has grown since the recent influx of Puerto-Ricans in New York). Smaller in size than any one of our western states, Italy has contributed a larger number of immigrants to America than any other country in the world with the single exception of Germany. (see attached).

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[19] Profile prepared by Cabinet Committee on Opportunities for Spanish Speaking People from Bureau of the Census figures.

The Center for Migration Status reports that approximately 25,000 Italians enter our country every year. A third of all new Italian arrivals settle in New York City. Therefore, it seems reasonable to assume that the number of Italian dominant children who enter New York City schools is approximately 2,000 a year. Since it takes two or three years for a child to learn sufficient English in order to function adequately in a total English program, the number of Italian children who have difficulty with the English language in New York City alone ranges from 5,000 to 6,000. The annual survey of pupils who have difficulty with the English language conducted by the Office of Educational Program Research and Statistics reflects a steady increase of Italian dominant children in the city schools since 1970.

Despite the fact that Italian dominant children represent the third largest group of children with English difficulty, no Bilingual programs have been available to them in New York City until a year ago. The first Italian Bilingual classes to be instituted in the New York City schools began in February of 1973. These classes were made possible by the allocation of $1 million dollars in tax levy money for Bilingual programs. As a result of these funds, three districts in New York City, namely District 11, 20 and 21, introduced Italian Bilingual classes. The Italian Bilingual classes were increased during the current school year as a result of a greater commitment of tax levy money for Bilingual programs during the current school year. Nevertheless, only 603 are serviced out of a total of over 5,000 students.

While the New York City Board of Education is to be commended for their initiative in introducing Italian Bilingual Programs, the Federal Government has shown indifference and even callousness in this area. Even under the $35,130,000 provided by the Bilingual Act (Title VII), there is no Italian Bilingual program being funded in the entire United States.

I have been informed by the Office of Bilingual Education of the Board of Education that there will be approximately $60,000,000 provided under Title VII for bilingual education 1974–75. I strongly urge that a portion of those funds be used to meet the need of Italian speaking students in the public schools. The use of a portion of these funds becomes imperative when one realizes that there is no Italian bilingual program being funded under any other source, such as ESAA, Title I, Title III, State Urban or Chapter 720 of the New York State Laws. The iniquity to the Italian population is quite obvious when one considers these facts. A great need exists in the area of Italian bilingual education, not only in terms of teaching personnel but also in the areas of supervision, curriculum development, relevant materials and teaching training at the college level.

In the area of ethnic studies, the situation is not as desperate as it is for Italian bilingual education. However, that should not lead one to believe that the current situation is by any means a positive one. Until very recently, Italo-American studies were not part of ethnic studies offered at the secondary level in the New York City high schools and currently there are no Italian-American studies or materials on the elementary and junior high school levels. More often than not, textbooks omit the Italo-American community when discussing the experiences and contributions of various racial and ethnic groups to the United States. Examples of these books would include the series "*Call Them Heroes.*" This series geared for middle school and secondary school students relates the positive achievement and accomplishments of numerous groups in our society, with the exception of the Italo-American group. Almost all of the social studies textbooks either exclude Italo-American contributions or attempt to stereotype Italo-Americans as gangsters and criminals. Therefore, through the sins of commission and omission, the Italo-American community finds itself in a precarious situation. You should also be aware of the findings of the Olivieri-DeFalco Committee of the State Assembly which focused on discrimination directed at Italo-Americans in the field of higher education.

Mario, a great deal remains to be done on the federal, state and local level in changing attitudes, revising programs and becoming sensitive to the needs and aspirations of our community. Thank you for your continued interest in this area and for the help that you have rendered on behalf of all the children of the City of New York.

Sincerely yours,

STEPHEN R. AIELLO,
Special Assistant to the President.

ITALIAN ALIENS WHO REPORTED UNDER ALIEN ADDRESS PROGRAM IN STATES WITH HEAVIEST CONCENTRATION OF ITALIANS, 1965-71

	Year							
	1965	1966	1967	1968	1969	1970	1971	1972
California	15, 679	15, 816	14, 069	15, 010	13, 933	13, 772	13, 402	13, 224
Connecticut	14, 825	13, 418	14, 954	15, 703	14, 834	15, 192	18, 965	17, 136
Illinois	13, 765	14, 053	15, 076	16, 246	15, 946	16, 175	16, 812	17, 055
Massachusetts	13, 262	13, 879	13, 812	14, 922	15, 501	16, 024	15, 828	17, 704
New Jersey	23, 480	23, 614	25, 754	25, 715	27, 167	28, 938	27, 305	26, 020
New York	84, 081	80, 896	88, 034	85, 658	90, 845	94, 962	94, 600	104, 906
Pennsylvania	17, 193	16, 192	17, 589	17, 349	17, 705	17, 261	14, 791	17, 102

Source: U.S. Department of Justice, Immigration and Naturalization Service, Annual Reports.

PREPARING EDUCATORS FOR BILINGUAL EDUCATIONS NEEDS AND A RESPONSE

(By Richard L. Light, Director, Bilingual Education Project, State University of New York at Albany)

Support for the concept of bilingual education and for implementation of bilingual education programs in the schools continues to grow nationwide. An inevitable accompanyment of this growth is an increasing need for training educators for work in such programs. Increased support for the concept of using the non-English mother tongue (NEMT), i.e., the child's first language, as well as English as mediums of instruction in school programs is the result of a number of factors.

POPULATION

One factor accounting for such growth has been the increasing numbers of NEMT children in our schools. The total population of all non-English background school-age children in the United States has shown a rise from 3.2 million in 1960,[1] to 5 million in 1973.[2] The number of school-aged Spanish-background children has grown roughly 1.7 million in 1960,[3] to 3.2 million in 1970.[4]

This growth in numbers of NEMT children nationwide has been paralleled by an increase in numbers of such children in the Northeast. For example, there were in 1970 in New York State an estimated 160,000 NEMT students who had "significant English language handicaps."[5] More than 95,000 of the Puerto Rican school population of 250,000 in New York City had English language difficulties in 1970.[6] This compares with only 40,000 non-English speaking Puerto Rican students in New York City in 1957.[7] In 1972 these figures had risen to over 100,000 Spanish-background students in New York City public schools having English language problems.[8] There have been comparable increases in NEMT (primarily Spanish background) children in other areas of the Northeast.

EVIDENCE OF FAILURE

There is widespread agreement that traditional approaches to the education of minority NEMT children in our schools have been inadequate. The problem was recognized by the Congress in the opening statement of the Bilingual Education Act:

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[1] "The Challenge of Bilingualism" in Reginald Bishop, Jr. (ed), *Foreign Language Teaching: Challenges to the Profession* (New York: Modern Language Association, 1965), p. 96.

[2] *Report on Education of the Disadvantaged*, 7, 9 (April 10, 1974), p. 5.

[3] Bishop, Ibid. 96.

[4] This figure was obtained by applying the 34% figure for 5–19 year old Spanish surname persons in five southwestern states (noted by Bishop, Ibid, p. 97), to the 1970 census figure of 9.6 million "persons of Spanish language" in the U.S. From: *Persons of Spanish Ancestry, Supplementary Report* (Washington, Bureau of the Census, 1973), p. 11.

[5] *The Fleishmann Commission Report, Part III ,Vol II*, (New York: The New York State Commission on the Cost, Quality and Finance of Elementary and Secondary Schools, 1972), p. 1.

[6] *Ibid*, p. 2.

[7] Mary Jenkins, *Bilingual Education in New York City* (New York: New York City Board of Education, 1971), p. 10.

[8] *Language Ability Survey of Pupils in New York City Public Schools As Of October 31, 1972*, (New York: Board of Education of the City of New York, 1973), p. 3.

"The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English."[9]

The Fleishmann Commission Report, cited above, noted that in New York State: "the most distressing incidence of academic failure the Commission has uncovered occurs among a group of children who are handicapped by a language barrier in the classroom—those children whose native language is not English and whose difficulty comprehending English significantly impedes successful school performance."[10]

Statistical evidence provides persuasive testimony to the failure of traditional approaches in the education of NEMT minority children:

"California made a study of the educational disparity between the Mexican-American and his fellow citizens as of 1960. It found that the level of education of Spanish-surnamed individuals was well below the level of the total population and was even below that of the non-white population. More than half of the males and nearly half the females 14 years old and over had not gone beyond the eighth grade. By contrast, only 27.9 percent of the males and 25 percent of the females over 14 in the total population had not gone beyond the eight grade."[11]

And in New York:

Puerto Rican pupils account for 22.8 percent of the total school population of New York City. Of these Puerto Rican pupils, more than one third (95,000) were described by the 1970 school census as non-English speaking. Of this total, approximately 25,000 are receiving instruction in English as a second language, and fewer than 6,000 are enrolled in completely bilingual-bicultural programs. The results of the English language difficulties of Puerto Rican pupils are tragically clear: these pupils are lowest in reading scores, highest in dropout rates, and weakest in academic preparation of all pupils in New York State.[12]

SUPPORT FOR BILINGUAL EDUCATION

Such statistics and others[13] strongly suggest that traditional approaches have not been successful in education NEMT students in our schools. Thus it is not surprising that support for a bilingual-bicultural approach to the education of such children has come from educators and statesman at all levels concerned with equality of educational opportunity. The National Education Association, the American Association of Colleges of Teacher Education, the New York State Regents, and the New York State Commission on the Cost, Quality, and Finance of Elementary and Second Schools have all issued statements or position papers supportive of the concept of bilingual education.[14] Further, recent opinions delivered by the United States Supreme Court, requiring special attention to language problems of minority children, suggest that bilingual education is one choice in meeting the problem.[15]

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[9] Title VII, United States Elementary and Secondary Education Act, The Bilingual Education Act, (Washington: U.S. Government Printing Office, 1968), p. 13.

[10] *The Fleishmann Commission Report*, Op. Co., p. 1.

[11] *The Invincible Minority. Pero No Vencibles*, (Washington: The National Education Association, 1966), p. 6.

[12] New York State Regents, *Bilingual Education: A Statement of Policy and Proposed Action by the Regents of the University of the Sttae of New York* (Albany: University of the State of New York, 1972), p. 6.

[13] See for example: *Equal Educational Opportunity for Puerto Rican Children: Hearings Before the Senate Committee on Equal Educational Opportunity, Part 8*, (Washington: U.S. Government Printing Office, 1970), *Bilingual Education, Parts 1 and 2, Hearings Before the Special Subcommittee on Bilingual Education, U.S. Senate* (Washington: U.S. Government Printing Office, 1967), *Bilingual Education Programs: Hearings Before the General Subcommittee on Education, House of Representatives* (Washington, D.C.: U.S. Government Printing Office, 1967), and *Proceedings of the National Conference on Educational Opportunities for Mexican Americans* (Austin: Southwest Educational Development Laboratory, 1968)

[14] These statements are contained in the following documents: *Brief for the National Education Association and the California Teachers Association as Amici Curiae*, (in the Lau v. Nichols case), Washington: National Education Association, 1974), p. 12; *Journal of Teacher Education, XXIV*, 4, Winter 1973, pp. 264–5; *Bilingual Education: New York State Regents Position Paper Number 16*, August, 1972, pp. 12, 13; *The Fleishmann Commission Report*, Part III, Vol. II. 1972, p. 3.

[15] "Full Text of Opinions: Lau vs. Nichols," *The United States Law Week*, 42, 28, (January 22, 1974), p. 4166.

In addition, the "traditional" arguments in favor of bilingual education still appear valid:[16]

> if all school instruction is in English, then to the extent the child is deficient in English, his concept development throughout the school curriculum will be retarded.
>
> teaching the curriculum through the child's native language and thus strengthening knowledge of that language, while at the same time teaching English as a second language, will result both in assurance that the child understands the curriculum content, and also that a vital national resource—the child's bilingualism—is maintained.
>
> recognition and utilization of the child's unique strengths—his first language and culture—will result in enhanced self-concept and avoid the psychological damage done if these are ignored or suppressed by the school.
>
> teaching the bilingual child literacy in his strongest language first should result in the final analysis in his learning to read English more rapidly.
>
> establishment of new bilingual programs in the schools requires school personnel representaing the majority culture to confront their own feelings about minority students, and to provide something beyond lip service in recognition of the legitimacy of cultural pluralism.

Arguments such as these from powerful educational, governmental, and political groups are likely to result in increased support for bilingual education programs in the schools. A concomitant increase in need for training educators for work in such programs appears inevitable. Before examining in more detail the need for training such educators, however, we might consider evidence for the success of bilingual education programs themselves. Do such programs make a difference in the education of NEMT children, and if so, where is the evidence?

Perhaps the most comprehensive summary of research evidence supporting bilingual education programs is that compiled by Perry Zirkel.[17] The studies cited by Zirkel include positive results in experimental bilingual programs in several parts of the world, as well as programs in Texas, Florida, and California. Evidence for the success of bilingual programs in New York City includes findings in an evaluation report by Vivian Horner.[18] Second grade children in the bilingual program being evaluated: "made significant gains in math over the school year," "far exceeded control children on reading measures," and "Spanish dominant children greatly exceeded English dominant children on reading measures."[19]

Finally, additional research evidence supporting the bilingual approach to education of NEMT children is found in an article by Richard Hall.[20] Hall cites a number of studies which support the view that learning to read first in the mother tongue not only results in reading more quickly (in that language), but is also likely to result in reading sooner in English (the second language).

To summarize: There is widespread evidence that the schools have failed to educate minority group children whose first language is other than English; there is growing research evidence that bilingual education is one effective response to the special needs of these children; there is increasing support for bilingual education among influential educators, statesmen and minority group members themselves, and such support for bilingual education is likely to lead to a demand for more and better-trained educators to teach in and administer bilingual education programs.

NEED FOR TRAINING EDUCATORS

Evidence from several sources points to a critical shortage of qualified bilingual educators to staff bilingual programs. Commissioner of Education

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[16] Most of these arguments in favor of bilingual education were advanced by Bruce Gaarder of the U.S. Office of Education in testimony in support of the Bilingual Education Act, before the U.S. Senate in 1967. They originally appeared in *The Congressional Record*, May 18, 1967, pp. S7102-3, and have since been reprinted in several texts.

[17] Perry Allan Zirkel, *The Positive Research Results of Bilingual Education*, (Hartford: Connecticut State Department of Education, 1971), mimeo, pp. 1–4.

[18] Vivian Horner, *Bilingual School Program: Final Report* (New York: New York City Board of Education, 1971).

[19] Ibid., p. 54.

[20] Richard Hall, *Learning to Read in Two Languages* (Philadelphia: The School District of Philadelphia, 1972), pp. 1–7.

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John Ottina has recently suggested there is a bilingual teacher shortage of 50,000 to 70,000, and he sees this "as a problem lasting many years."[21] This estimate may be somewhat low. The number of school-age (6–18) NEMT children in the United States has been estimated at five million. Using a teacher-student ratio of 1:25, we derive a figure of 200,000 bilingual teachers needed to serve these children. (This does not include other educators such as administrators and coordinators needed for bilingual programs).

The federal government currently support fewer than 200 bilingual education programs. The total number of teachers involved in these is probably not over 3,000. Yet the effort to involve more and more bilingual children in bilingual programs, and the fact that even without new programs the number of children involved increases each year as each of the projects expands to higher grades—these factors all strongly suggest that an acute shortage of well-prepared bilingual teachers will continue for some time. This situation appears to be particularly critical in New York State in which Spanish-surnamed Americans make up close to 10 percent of all public school students, yet only 1.1 percent of the public schools professional staff is of this background.[22]

RESPONSE TO THE NEED

The State University of New York at Albany has, with the help of an EPDA grant, responded to this need over the past three academic years (1971–1974). During this period, thirty bilingual educators have been enrolled in a Masters level program, with emphasis on preparation of "second-level" bilingual educators. We have focused on preparation of certificated bilingual educators for work as administrators, curriculum coordinators, and in other second level positions in bilingual programs. By emphasizing the training of educators for such positions we have in effect been training teacher trainers, and thus capitalizing on a "multiplier effect," which enables our graduates to reach and train other bilingual educators. Several of the sixteen graduates of the first two years of our program became classroom teachers in bilingual programs, two went on to further graduate work, but eight became bilingual program directors, associate directors, or obtained other second-level positions. We expect an even higher percentage of the fourteen fellows currently enrolled in our bilingual Masters program to obtain such positions. Such an emphasis will be continued in the future.

BRIEF EVALUATION OF RESPONSE: THE FIRST THREE YEARS

The principal board objective of the first three years (1971–1974) of the bilingual education project was development at the State University of New York at Albany of "a bilingual education program which will provide educators with the knowledge and skills to work more effectively, and to train others to work more effectively, in bilingual education programs in the schools." This goal has in large measure been accomplished. A new sequence of courses in bilingual education leading to a Masters degree in that area was officially approved by the University in 1973. Thus, investment of Federal funds has, in this case, resulted in institutional change.

The principal strengths of this new program include the following:

a strong bilingual staff, supported by Federal funds, currently including Medardo Gutierrez, Marina Burt, Heidi Dulay, Richard Light and Maria Suarez. Such a staff has enabled us to teach an important segment of the courses in the program through Spanish, as well as in English.

an Advisory Group composed of educators and laymen representing Hispanic communities, the State Education Department, the New York City Schools, other local school districts, current and past participants, and the university. This group has proved invaluable in providing planning and evaluation services for the bilingual project during its periodic meetings (at least once per semester). Chairman of the current Advisory Group is Mr. Hernan La Fontaine, Executive Administrator of Bilingual Education Programs for the New York City Board of Education. Mr. Carlos Perez, Supervisor of Bilingual Education for New York State is Past Chairman.

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[21] *Report on Education of the Disadvantaged*, 7, 9, April 10, 1974, p. 5.

[22] *Racial/Ethnic Distribution of Public School Students and Staff, New York State, 1972–1973*, (Albany, New York: The State Education Department, 1974), pp. 3, 9.

the flexible and interdisciplinary nature o fthe program which enables bilingual educators in our program to draw upon resources at SUNY at Albany within the School of Education, the Departments of Puerto Rican Studies, Anthropology, Social Sciences, and Hispanic Studies, the Educational Communication Center, and others. Physical facilities at SUNYA are excellent. Strong Masters programs in Teaching English as a Second Language and in Foreign Language Education provide resources in these areas. Further, program flexibility permits effective responses to Advisory Group suggestions. For example, in response to Advisory Group suggestions, bilingual fellows have been provided with special sections of courses in educational administration and in curriculum development.

field-centered experiences in bilingual programs in local schools near Albany, in New York City, and with the Bilingual Unit of the State Education Department. The latter have proven particularly valuable for participants who work closely with State Education Department personnel in such activities as reading and evaluating proposals for bilingual programs, then with logistic assistance from the SED, conduct field visits to bilingual program sites and compare proposal specifications with actual program organization and activities.

through the efforts of our bilingual project, bilingual classes have been established in a nearby elementary school. This has enabled our project participants to work with bilingual children on a regular basis throughout the school year, testing the theories discussed at the university in a bilingual classroom setting. Project efforts here have met with enthusiasm from the Hispanic community surrounding the school (in Amsterdam, N.Y.), from portions of the Anglo community as demonstrated by their requests to have their non-Hispanic background children enrolled in bilingual classes, and from the administration of that school system in public statements on a local television documentary and by letter. Further evidence of the success of this component comes from pre- and post-test scores for literacy in Spanish taken by the Hispanic-background children taught by our fellows. The scores show consistent improvement in reading in Spanish by the elementary children in our bilingual classes.

institution-wide support for the concept of bilingual education in general, and for our bilingual program in particular, has been strong. The Academic Vice President, the Dean of the School of Education, department chairmen, and faculty members both in and outside of the school of Education have met with participants and project personnel. They have expressed support for the goals ad activities of the program, and have contributed creative suggestions concerning its operation. Financial support for several bilingual fellows in addition to those supported under EPDA has been provided by the Dean of the School of Education and other sources at SUNYA.

Although there was no money available for formal evaulation of our bilingual project we did have both formative and summative evaluation on an informal, no-cost basis. The role of our Advisory Group in this evaluation was noted above. In addition we have had several site visits from USOE personnel (Dr. Bruce Gaarder and Ms. Loretta Wawrzyniak) who observed the program in operation, visited classes, and interviewed participants and staff. Indications are that based on these activities they were pleased with the progress of the project.

Summative evaluation has taken the form of questionnaires eliciting the opinions of participants concerning their experiences in the project. Responses have been consistently favorable on these instruments, which have been included in project final reports. In addition, we are gathering data on graduates from the bilingual project's Masters program, after they have been in the field one and two years. We are attempting to identify those components of the project which participants in retrospect, after having been on the job in bilingual programs, feel were most useful and why, those which were least useful, and what components could be added to the program.

There were of course some weaknesses perceived in our program. All but one have been rather minor problems, such as finding adequate housing. The one persistent problem which we have faced, however, is providing participants with an adequate methods component which will enable participants to be better teachers of a wide spectrum of subjects (math, social studies, reading, etc.) through Spanish in bilingual programs. One way in which we have attempted to overcome this weakness is by inviting excellent bilingual teachers of these subjects to Albany to provide workshops and demonstrations in these areas. We have had a fair measure of success with this approach but propose a more permanent solution in the program for 1974–75.

In sum, these first three years have seen the State University of New York at Albany respond effectively to an important educational need by establishment of a Masters program in bilingual education. We intend, by means of a proposed grant for 1974–1975, to consolidate and expand upon the gains made thus far for training bilingual educators for more effective service in bilingual education programs in the schools.

(Position Paper—Written Under the Sponsorship of the Rio Grande Valley Administrators Association)

THE MEXICAN ALIEN RESIDENT CHILD AND THE BORDER SCHOOL DISTRICTS

Authorities contend that there is a twenty-five (25) to fifty (50) year lag between the introduction of an innovative idea in education and its wide adoption and usage. There are those who contend that the same lag of time exists between the recognition and isolation of an educational problem area until specific steps are taken to alleviate the problems. A case in point may be made in the developing of solutions to the educational problems created by the northward migration and return of literally thousands of Mexican-American children whose parents, by economic necessity, followed the agricultural labor market. For years, no State or federal recognition was given to the problem and the total financial and educational responsibility rested upon the local school district. Finally, in 1963 the Texas Education Agency implemented an alternative school year and an extended school day—thus developing a calendar more in keeping with the realities of the economic necessitated movement of migrant children. In addition, the implementation of a new formula for attendance accounting of migrant children assisted the local districts in that the State accepted some of the financial burden caused by the erratic attendance of migrant children.

The problem of the migrant child was recognized at the national level with the implementation of the Title I Migrant Program through the Elementary and Secondary Education Act of 1965.

Though the migrant problem is not specifically related to the problem of the Mexican resident alien child, it is important to note that the recognition of the problem did *finally* occur at both the State and the national levels and adjustments were made in an attempt to alleviate the problem.

Thus, the purpose of this paper is to point to another rather unique problem that effects primarily a local geographic area. Because of the limited number of school districts drastically affected, the problem apparently is unnoticed at the State and national levels; but, it is a problem crying for solution. School districts along the Mexican border have for many years absorbed into their student bodies the Mexican alien child who has crossed the border and established legal residence in the United States.

Section 21.031 (b) of the Texas Education Code provides that "Every child in this State over the age of six years and not over the age of 21 years on the first day of September of the year in which admission is sought shall be permitted to attend the public free schools of the district in which he resides or in which his parent, guardian, or the person having lawful control of him resides at the time he applies for admission notwithstanding the fact that he may have been enumerated in the scholastic census of a different district or may have attended school elsewhere for a part of the year." Paragraph (c) of Section 21.031 states that "The board of trustees of any public free school district of this State shall admit into the public free schools of the district free of tuition all persons over six and not over 21 years of age at the beginning of the scholastic year if such person or his parent, guardian or person having lawful control resides within the school district."

In the recent court decision of *Gamboa* v *Brownsville Independent School District*, it was held that a child must meet only one of four eligibility criteria before he shall be admitted to the free public schools of the State to wit: (1) his parents shall reside within the bounds of the school district; or (2) his guardian shall reside within the bounds of the school district; or (3) the person having lawful control of him shall reside within the bounds of the school district; or (4) the child himself/herself shall reside within the bounds of the school district.

The full impact of the law and the most recent court decision in keeping with the movement of Mexican nationals across the border makes the public free schools of Texas, which are located in close proximity to the Mexican border, available for literally thousands of Mexican alien children to attend school with no strings attached.

Evidently, the policies of the Immigration and Naturalization Service of the Federal Government are so enforced, or rather so not enforced, to the extent that there appears to be little impediment to Mexican nationals obtaining legal residency in the border school districts. If the parents can not, or do not, obtain legal residence in the United States, the laws of the State as supported by *Gamboa v. Brownsville Independent School District*, make it possible for literally thousands of Mexican children to meet at least one of the four criteria for attendance in a Texas school when the uncles, aunts, grandparents, sisters, brothers, cousins, etc. of Mexican children have legal residence in the various Texas border communities and thus can and do provide guardianships, lawful control, or residence for any Mexican child desiring to attend school on the north, rather than on the south, side of the border.

In recent years, the movement of children across the border northward has become accelerated. The local school districts adjacent to the border are finding their projections for classroom space inadequate because of the children who previously attended school in Mexico establishing residence in Texas by one (1) of the four (4) criteria. These children come to school in all sizes and at all ages. There is basically only one common characteristic—they are all non-English speaking. The very young—kindergarten and first grade age children—constitute no special problem except the overcrowding of classrooms, thus creating severe burdens on the local district to provide additional buildings, all at local tax payer expense. Normally, these children fit in relatively well with local-born Mexican-American children who have little or no English speaking ability. However, the older children not only create problems of space but also program. What do you do with a thirteen (13) year old non-English speaking child? Do you put him in a classroom with other thirteen (13) year old English speaking youngsters, whose educational needs are essentially different from his? Do you provide him special assistance? Do you try to bring all such pupils to a central location or do you scatter them throughout the school and forget about them? The problem has been one for the local school districts to solve. Either there has been failure on the part of local school administrators to communicate the scope of the problem to State and federal officials or there has been a lack of concern on the part of these officials. Nevertheless, the problem is an increasing one of vital concern to school administrators along the Rio Grande River. This increase in concern has been due primarily to the acceleration of the number of resident alien children enrolling in the public schools. A survey conducted in October, 1973, among twenty-four (24) Lower Rio Grande Valley school districts, indicated that new enrollees from Mexico had increased from 1,308 in 1970–1971 to 2,372 in 1973. These figures include only those children from Mexico enrolling for the first time in one of the twenty-four (24) school districts replying to the survey instrument.

If the space problem only were considered, the increased enrollment for the 1973–1974 school year (2,372) caused by first time entry in Texas schools by Mexican aliens would fill approximately eighty (80) classrooms in the twenty-four (24) surveyed schools. Eighty (80) classrooms in twenty-four (24) districts may be of small concern on the whole; yet, generally speaking the larger numbers of children are concentrated in a relatively few border districts. In addition, the influx of the Mexican alien child places the greatest burden on that part of the State that is the most impoverished when it comes to ability to raise funds locally via the property tax method. The incentive and desire of local communities to provide good schools exist and are demonstrated by every study made of local effort; yet, those communities of the Lower Rio Grande Valley whose effort is far greater than the State average in the support of local schools, have the full and complete responsibility of providing not only additional classroom space but also for developing and implementing programs which will be educationally productive for the alien child.

It is true that the Mexican alien child does draw funds from the State in average daily attendance as does any other child because he is a resident child. Nevertheless, the demands are so much greater insofar as program and services are concerned because he has a major obstacle to overcome before entering the mainstream program. When the problem is raised, the easiest suggestion made is to utilize Title I funds for supplementary services and programs for the Mexican alien child. This is the easy answer but it does not reconcile the reduction in Title I funds available for the educationally deprived Mexican-American child born in the community. Title I funds granted to local school districts were not allocated on the basis of resident alien children entering the schools. To divert these funds from their intended use for special services and programs for resident alien children, then we must ignore the crying needs of educationally deprived Mexican-American children.

The purpose of this paper is not to deny responsibility for the education of resident alien children but to call attention to the fact that the numbers of such children are increasing yearly and that local school districts who are receiving the greatest impact are those districts in the State who are now exercising more than average financial effort against a tax base that is considerably lower than the State average. The purpose is to point to a problem and to issue the cry for financial assistance in meeting the problem.

Specifically it is asked that:

1. Policies and regulations of the Immigration and Naturalization Service be reviewed and, if the entry of Mexican aliens into the United States be continued at its present rate, that federal financial assistance be given to those districts responsible for the education of Mexican alien children in such manner as Public Laws 81-874 and 81-815 currently operates.

2. The laws of the State of Texas making children eligible to attend the free public schools be reviewed and if the laws remain as is and federal policy remains as is that the State assist local school districts in providing classrooms and special programs for the Mexican alien children until such time as they can move into the mainstream program.

3. The State of Texas conduct a comprehensive study on the number of Mexican alien children attending the public free schools. This paper has focused only upon those entering school in Texas for the first time. The entry of the Mexican children into the Texas border schools is cumulative—those entering the third grade remain for the fourth and fifth, etc. The number of such children are counted only upon first entry into school but it would be interesting to know the total cumulative financial and program impact these thousands of children have on the border school districts.

Finally, we go back to the beginning. A problem existed in gaining recognition of a migrant problem. Recognition and assistance were finally forthcoming. Is not the Mexican alien child a problem that should be recognized and deserving of assistance?

ANN MARIE LOUGHRAN
Elmhurst, N.Y.

To: The General Subcommittee on Education.
Re: Bi-lingual/Bicultural Education Programs.

As an English speaking parent whose child is in her second year of Bilingual education, I wish to state my opinion of the program.

My daughter is reading on third grade level and her Math is grade level (second). Her Science is on par with the other classes and I feel her Social Studies is above grade because the students all have something extra to offer. She is learning to read, write and understand Spanish, an advantage which will later put her above the other children who will be forced to learn another language without having the incentive. As you can see there is no loss of essential material through this program and myself and other parents who couldn't be here would very much like it to be expanded.

The advantages to the English speaking child are not stressed enough. The children inter-react beautifully, they accept each other as individuals without the prejudices that cause most of today's problems. Many of my daughter's friends could not speak *any* English last year but now are reading and writing on grade level. Perhaps even more important they are helping my child learn Spanish and a sense of beauty in the differences between them.

I feel we owe it to every American child to offer them the best educational system we have and whether it be Chinese, Greek, Italian, Grman or Spanish I see Bilingual Education as today's answer.

Prepared Statement of Vivian One Feather, Teacher-Consultant, Red Cloud Indian School, Pine Ridge, South Dakota

Anyone knowledgeable of American Indian education drop-out rates should be aware of the uselessness of a monolingual school system which purports to educate a minority culture within its traditional homelands. Such a school system has operated for over 100 years on Indian reservations, and it remains as it started, a unique case of the Federal Government providing educational services to American Indian peoples through civil service teachers and administrators. This monolingual Bureau of Indian Affairs school system maintained its own value, but especially could be noted for the lack of parental involvement within the school system. The gruesome memory of this institutional control has left its mark upon literally all American Indians and their descendants. A living testimony of this inheritance is the English translation from native American Indian names which early civil service employees chose to bestow upon their new pupils.

While these educational services to American Indians have endured with little results through the years, the flux of innovative federal monies in the last five years has allowed for slight changes. Many tribal leaders have made strong public announcements of the need to retain tribal cultures and particularly the useage of its particular language. And, younger Indians who have experienced urban living have been foremost in demanding culture-related courses within their school settings and possess a strong drive to retain their mother tongue. In actuality, there exists an imbalance between the strong desires to implement and the flexibility of a school system 100 years old.

The enactment of Title VII, of the Elementary and Secondary Education Act, has been instrumental in answering the definite need for bilingual instruction in the school system. Without a doubt, it is here at this classroom level where Indian pupils can relate to an adult in their native language. While giving this Indian child stronger support for building concepts, it has also allowed for native speakers to serve as a bridge of understanding. Through learning communicative skills and better understanding of classroom objectives, the child and the adult are surely to be stronger persons biculturally.

However, the implementation of the language contained in the Title VII legislation needs to be reconsidered at its operation level.

The first item of consideration is the funding practice to which grantees desiring to obtain bilingual instruction must proceed. The local education agency of the Bureau school system is not within the local Indian community where the school is located, nor within the confines of that particular reservation, it is located at the Area Office level of the Bureau of Indian Affairs. Here the local educational agency functions far from the physical school and out-of-reach and communication of parental pressures. Beyond this regional level, the Bureau offices at the Washington, D.C. level play the role of the State Educational Agency and distribute educational funds for Indian children.

The smoothness of this command system is most effective when progress through parental input is about to happen. It often functions best as a censorship upon individual Indians who propose to obtain advance progress through education. Ultimately, Indian communities are discouraged in their efforts to be involved in their children's education.

To safeguard the command system, there exists unwritten agreements between the Bureau of Indian Affairs and various offices within the Office of Education that federal funding be channeled only through the BIA. This is done in the guise that BIA is "responsible" for the education of Indian children.

Funding practices should therefore give a greater amount of flexibility to Indian parental groups as Advisory Boards to balance out the rigidity of external controls. It cannot be over-stated that in an Indian community, that particular native culture is dominant. The American way of lifestyle becomes a sub-culture. It is unfortunate that this fact is lost during funding periods. It if is in the best interests of the Indian people to have the benefits of a Title VII projects, their voices should be recognized without doubt.

Budget allocations should be on a direct grant basis without the "overhead" percentage taken by the SEA. The Title VII projects are under-funded at each project site for the projected program goals, and it does little good to be monitored financially by a middle man.

Title VII projects have focused on the basis of native cultures that it serves as a catalyst to future years of development. This importance makes it mandatory that directors and staff members be employed from the target area population which the project serves. It is unfortunate that the very person who is bilingual and from within the community is often the last one to be chosen. Again, this is based upon attitudes brought through authoritarian members of a sub-culture. An Indian community suffers twice over whenever a "foreign" person, be they Indian or non-Indian, is employed to implement a program which lacks community input. A Title VII project's productivity is set-back each time this occurs and especially when the school system itself, is unable to keep its turn-over rate of teachers at a minimum.

Civil Service employees in a reservation day-school turn over with enough rapidity that the school system is affected as well as the student population. In a Title VII project, this type of turn-over means changes in the development of a standard curriculum and a wide variety of materials to be developed in order to maintain working relationships. It is therefore, perhaps the most urgent area that those bilingual persons employed under Title VII receive certification for their competencies. There is no future for the individual or the community in subserviance employment positions. Instead, native bilingual speakers should be allowed to attain positions of authority within the classrooms and in the school system.

A case in point would be that of a native bilingual teacher instructor who had considerable college hours obtained through the project efforts at one school. It seems that due to turn-over the Bureau was to hire a new teacher. After two weeks in the school system, this person quit one day. There began the problem of filling a teaching position. Finally, the wife of one of the teachers was hired as a "substitute" teacher. It turns out that the native bilingual teacher instructor had far more college hours than the non-native non-Indian "substitute", but in this arrangement the payscale was in favor of the "substitute". Who ran the classroom? The native bilingual teacher.

A cooperative rapport should be established between the school system and the local parents which will reflect in a better standard of teachers and give more opportunity to local recruitments.

Accountability for Title VII Indian projects need to be reevaluated in terms of project goals. These goals should not reflect the views of project officers, auditors, Bureau management, or any other external monitoring. These goals should be flexible and fit the needs of the Indian child and his community.

More research in the areas of testing and measurements needs to be undertaken to determine better effectiveness of Indian projects. Through cooperation, the philosophy of each project should reflect the student's capabilities, the native speakers productivity, the local Indian community input, and others school personnel in relation towards one common effort.

The curriculum of a bilingual school should consist of sound concepts in the native culture and not be the simple translation of English concepts into the native language. Adequate funding for materials development should be given some priority. The difficulties encountered in establishing an orthography and converting native concepts from their oral originality into written pages requires both time and expertise. Certainly, the Title VII projects need this vital linkage. It might also be noted here that adaptations in teaching models be encouraged in view of the difficulty Indian students experience in the traditional classroom setting.

A Title VII bilingual project should operate in smooth sequence from one year to another. Personnel who are obtaining college credits should be encouraged and given full support. Within the Bureau of Indian Affairs school system, the input of the parental group should not be overlooked by anyone. Furthermore, this group of parents need not be treated as "rubber-stamps" nor to be threatened by loss of job opportunities for the sake of cooperation.

Title VII offers to American Indian people, the opportunity to revitalize their self-image and to maintain their dignity as a nucleus of people. It must be pointed out that there is no deeper sense of identity than that received through conceptual development in one's native language. Title VII projects for American Indians can be numbered upon one's hands, and there needs to be more emphasis upon development and funding of new projects for this minority culture and the future stability of its people.

Prepared Statement of Hon. Patricia Schroeder, a Representative in Congress From the State of Colorado

INTRODUCTION

For years Chicanos in the Southwest have been the victims of the public school systems, rather than the beneficiaries. Studies have been conducted by the U. S. Civil Rights Commission, numerous universities, several State Departments of Education, community groups and foundations. Federal and state officials, and elected school boards have prepared material (which can only be measured by the pound) describing the need for bilingual education, special drop-out programs, additional efforts for teacher hiring, curriculum development, etc. But almost no one has acted to meet the educational needs of Chicanos. The end result of all the studies, all the efforts of public and private groups, all the public testimony, and a flood of information in the media, has not been meaningful change for community people.

The Chicano Education Project, working in Colorado, and the Mexican American Legal Defense and Educational Fund (MALDEF), working throughout the Southwest, have as a primary concern the educational empowerment of Chicanos. We are tired of studies which do not effect change. Our role has been to act as enablers in the process of empowering community groups. We try to help community people learn to use all the studies and legal decisions favoring educational opportunities for Chicanos as a means of pressuring school systems to implement programs relevant to Chicano students.

Our testimony is divided into five sections:

The first section describes our initiation of a statewide suit in Colorado against the State Department of Education and the Commissioner of Education. This landmark litigation is an attempt to take the now famous *Lau* decision by the Supreme Court of the United States one step further by requiring State Governments to provide bilingual-bicultural education in those states with large minority bilingual populations.

The second section of the testimony deals with our effort to effectuate the *Lau* decision and the sixth report of the United States Civil Rights Commission on Education concerning Mexican Americans with effective tactics built around these two documents.

The third section contains a report on the status of legislation in Colorado.

The fourth section of our testimony deals with federal programs such as Title I, ESAA, and various other HEW programs as we have observed them operate.

The final section of our testimony contains recommendations which would help to eliminate or alleviate some of the problems described in the first four sections of the report.

I. BEYOND LAU

When the Supreme Court handed down the landmark *Lau* decision, we saw this as a real opportunity to organize community people, to involve them, and to attempt to broaden the effect of *Lau*. We contacted community groups throughout the State of Colorado including: the Congress of Hispanic Educators, the Denver chicano teachers group, La Voz de la Raza, an ESAA funded program in Grand Junction, Colorado; all of the Chicano members of the Colorado Legislature, the Brown Berets; the Mothers of Casa Verde; Incorporated Mexican-American Government Employees (IMAGE) in Pueblo; the GI Form in Denver; and Pete Garcia, the only Chicano member of the School Board in Boulder. We asked these groups and individuals if they would be willing to participate in a nationwide suit against the Commissioner of Education and the Colorado State Board of Education. All of them responded enthusiastically. We then talked to the Mexican-American Legal Defense and Educational Fund staff and they agreed to serve as the lead attorneys on the case.

Subsequently several community groups from throughout the state of Colorado have expressed an interest in joining the suit. Attorneys for Colorado

Rural Legal Services also are interested. The suit was designed to have maximum public impact; therefore, when the suit was announced community groups and individuals held press conferences throughout the state of Colorado. Some of the news people were informed in advance, and a professional public relations person helped to do advance work for the public announcement.

The suit has been very well received throughout the state. Legislators and community groups have made it clear that our purpose is not to intimidate the State Legislature, given the pending Bilingual Act in the Legislature, as some have charged, but to open and utilize every available avenue to begin to combate the destruction of Chicano children in the public schools.

Recently, we met in San Francisco with MALDEF staff, staff of the National Education Task Force de la Raza, and educators from throughout the Southwest to discuss the meaning of *Lau* and the United States Commission on Civil Rights Report on Mexican American Education. The purpose of the meeting was to discuss methods of assuring that these two developments have maximum exposure and impact in the Southwest.

II. MAKING THE U.S. CIVIL RIGHTS COMMISSION REPORT AND THE LAU DECISION REAL IN COLORADO COMMUNITIES

The problem with the Commission Report or with something like *Lau* is that all too often these events receive news coverage for a day or two and then die never to be heard from again. We have tried to help community people in Pueblo, Grand Junction, and Montrose come to the understanding that the Commission Report and the *Lau* case are vital tools in their struggle to make school systems responsive to the needs of their children. Perhaps an individual narrative on what happened in each of these communities is the best way to illustrate our efforts to make *Lau* and the Commission Report living documents.

In Pueblo several groups led by the Barrio Education Committee had been working for several months to devise comprehensive programs designed to meet the needs of Chicano students. Following a series of student disturbances caused by lack of board responsiveness to the Chicano community. The School Board asked the Barrio Education Committee and several other community groups to study the situation and propose changes. For several months the Barrio Education Committee and the other groups, which collectively became known as the Review and Recommendations Committee, studied the Pueblo schools. The result of that effort was a 60 or 70 page document covering the entire spectrum of educational needs of Chicano children. The report included recommendations in the areas of bilingual education, teacher-hiring, special drop-out programs, and end to I.Q. testing, Chicano studies programs, hiring of guidance counselors, etc. The initial response of the School Board to the report was a vague refusal of any of the significant requests by the R. & R. Committee.

We helped community people develop a telephone campaign for the purpose of making the School Board members aware that community people were angry about the Board's negative response to the R. & R. Report. Community people called School Board members throughout the day and into the evening.

We talked to the president of the board, Mr. Quigg, who informed us that the board hoped to implement bilingual programs in thirteen schools over the next several years. We told Mr. Quigg that because of *Lau* and the study by the Civil Rights Commission the School Board did not have several years to implement bilingual programs—that the law required that bilingual programs be implemented immediately. During the time that all of this was going on community people continued to gather support for the R. & R. Report. The Bishop of the Catholic Church for Southern Colorado supported the recommendations of the R. & R. Committee, as did university officials, the League of Women Voters and other community groups. Faced with this kind of pressure the School Board agreed to implement bilingual programs in thirteen elementary schools beginning in the fall of 1974.

Similar efforts have occurred in Grand Junction and Montrose. Those districts intend to implement bilingual programs next fall. Community groups in Fort Collins and Boulder have also attempted to use the *Lau* decision and the U. S. Civil Rights Commission Report as a way of informing School Boards of the problems of Chicano students, and as a way of pressuring School Board to do more. In Boulder the School Board (which includes a Chicano who is backing the statewide suit) was temporarily detained in the Board Room by groups of angry Chicano parents when the board refused to vote for bilingual programs in Boulder Country. Subsequent to that meeting, the administrative headquarters of the school district and a Boulder school were bombed. The public media was quick to link this violence against schools to those Chicano groups who were trying to get boards to respond to the needs of their students. The media has thus performed a great disservice to sincere groups seeking programs to help their children.

To ensure that all of our efforts do not end up in the one basket of a statewide suit, we have been in contact with attorneys from Colorado Rural Legal Services and Legal Aid to discuss regional follow-up to the statewide suit. Community groups in Pueblo, Grand Junction, and Montrose are discussing implementing the *Lau* decision and the U. S. Civil Rights Commission Report with suits against their particular districts involving bilingual education, expulsions, drop outs, teacher-hiring, etc.

Throughout the state community people are tired of depending on the good faith of school boards, superintendents, and federal programs. There is a widespread feeling that programs designed to meet the needs of Chicano students will not come about until parents become actively involved in pressuring school boards and federal bureaucracies to meet their needs. In Denver MALDEF has intervened in the school desegregation case and with the help of nationally recognized outside consultants, has devised an educational program designed to adequately meet the needs of Chicano students.

III. THE STATUS OF LEGISLATION IN COLORADO REGARDING BILINGUAL EDUCATION

State representative Ruben Valdez and other Chicano members of the legislature have spearheaded an effort over the last two years to get the Colorado Legislature to fund bilingual education programs. Last year the measure passed the House of Representatives of the state of Colorado by a vote of 63-2, but died in committee in the Senate. During the 1974 session of the legislature only appropriations measures, revenue raising measures, constitutional changes and items placed on the Governor's call are to be considered. The Governor did not place bilingual education on his call. However, representative Valdez was able to introduce an appropriations bill and it passed a vote of the Education Committee 11 to 1. The one dissenting vote was from the Chairman of the House Education Committee who wanted more information. The bill is presently before the House Appropriations Committee and will then be brought for joint consideration.

The essential elements of the bills are as follows:

1. School districts interested in establishing a program shall conduct an annual census to determine the number of students with limited English speaking ability.
2. Such students may be classified by family, community, peer group, or cultural environment. If the district finds 25% or more than 100 students under the age of 12 so classified.
3. Students matching the above criteria shall be encouraged to enroll in the program.
4. All subject matters shall be taught in Spanish as well as English.
5. Districts are required to make an affirmative effort to hire bilingual teachers who share the culture of the non-English speaking students.
6. Fluent community members may be hired as aides.
7. Representative parent advisory committees must be established.
8. In each district with more than 100 students community coordinators (who share the culture of students whose dominant language is other than English) shall be hired.
9. Districts may establish pre-school and summer school programs.
10. The bill authorizes the expenditure of three million in state funds.

IV. EVALUATION OF CURRENT FEDERAL MINORITY EFFORTS IN COLORADO

Federal efforts as we have observed them in Colorado have had the following characteristics:

a. Not enough money is available in the area of bilingual education to have any significant effect on the Chicano student population of the state—less than 5% of Chicano students in the state are presently participating in bilingual education projects on the elementary level, while the figure is an even more dismal 2% at the high school level where the drop-out rate for Chicanos is 34.9%.

b. Programs operating under the name of bilingual education sometimes have not been true bilingual efforts, but rather a way for school districts to amass more federal funds. Some of the federal projects which we have seen are obviously designed to spend money, be visible, and fail.

c. Finally, a two part section indicates that in some areas programs have been inadequately or even illegally run.

Examples of the federal failures and abuses outlined above follow:

(Same notations to the left of each section correspond to the points mentioned before).

a. Some school officials think that "bilingual education" consists of an educational program in a school with Spanish architecture and Mexican murals on the wall. The so-called "bilingual program" in some districts amounts to saying "Buenos Dias", teaching the kids how to count in Spanish, calling a Chicano student Juan instead of John, of observing certain Mexican holidays, and cooking Spanish food. When this happens in a district the clear purpose is to obtain federal funds in the name of bilingual education, while completely ignoring any attempt to seriously implement bilingual programs. Often the rational for such a program is that biculturalism is as important as bilingualism. We think that this kind of thinking fails to take into account the fact that bilingual education is the only adequate foundation for a bicultural program for Chicano and Anglo students. Language is the essence of culture.

b. Federal programs have not been responsive to the needs, desires, and ideas of community people. Advisory committees, where they exist, either lack any kind of real input into decision making, or represent a narrow professional Chicano and Anglo viewpoint. Grassroots community groups, by and large, have not been represented on Adivsory Boards. Federal programs have been run largely by the federal planners, and everyone in the state, community groups and school officials, agrees that the amount of paper work necessary to submit an application for bilingual education is massive.

c. Related to the federal failure outlined above is the fact that many federal programs are designed for failure. An organization to which we are related, Western Service and Development Systems, provides a striking case in point.

Western Service and Development Systems, a private consultant firm, was referred to the Urban-Rural School Development Program of HEW by a Denver HEW official. The official suggested that the San Luis program was having problems and that the program officer for the San Luis project, Ms. Esther Nicols, was in need of help. Over a period of months during which Western Service and Development Systems worked with Ms. Nichols they became aware of the following deficiencies within the administration of the HEW programs:

1.1. HEW staff involved in the administration of the Urban-Rural program were evasive, unclear as to the purpose and goals of the project, and unaware of our unwilling to share significant written information describing the San Luis Program.

1.2. The staff of the Urban-Rural project were consistently rude. They missed appointments, failed to return phone cals, were constanitly late, and failed to follow through on commitments which they made.

1.3. Urban-Rural staff were obviously threatened by anyone who asked questions about their program. Ms. Nichols had suggested that HEW not audit the San Luis Program, even though there might be problems with the project because the staff was "trying".

1.4. Despite the expenditure of several hundred thousand dollars of federal funds in San Luis there were no written records concerning the reports and institutes supposedly carried out by the San Luis program while utlizing federal funds.

1.5. The federal projects officer obviously did not expect the program to accomplish very much. As she said to staff of Western Service & Development Systems, "one has to have reasonable expectations".

1.6. When staff of Western Service & Development Systems continued to ask questions federal officials made a vailed threat to blackball the consulting firm so that they would not receive additional federal contracts.

1.7. Finally and most importantly the program was designed to fail. The most significant factor in the San Luis situation was not the rudeness or incompetence of federal officials, or the disservice to community people which federal officials accomplished by their low expectations of the project, but the fact that Ms. Nichols was the sole HEW staff person for 28 educational programs spread in a huge geographic area covering not only Urban-Rural programs, but also handicapped and child abuse programs. The total amount of funds involved was over five million dollars. Obviously, one person, no matter how good, or how conscientious, cannot cover 28 programs in numerous educational areas without even a secretary. The federal program officer, Ms. Nichols, is probably a very fine person, but she simply did not have much awareness of what was happening in her 28 projects or much awareness of how those projects had been implemented. (See appendix C for a thorough documentation of these series of events outlined briefly above).

It is important to stress that the purpose of this kind of criticism is not to put an end to the programs. They are needed and wanted by community people, but they must be designed for success.

c. Some federal programs as they are implemented violate either the spirit or the letter of the law. We are presently working together to evaluate some important federal education efforts around the state in crucial areas such as Title I programs. Those evaluations will not be available for several weeks. However, we would like to provide one clear example of a federal project which we think does not meet the standards of the law. Grand Junction, Colorado has two ESAA programs. One is a school district project which receives over a $100,000 in federal funds, and the other is a community based project which receives less than $20,000 of federal funds. The school district's program contains several areas such as multicultural education, home school involvement, and community awareness programs. The stated purpose of ESAA funds is to relieve educational conditions incident to desegregation or racial isolation.

Amazingly, the ESAA programs of the district such as multicultural education, are administered by an all-white staff! The clear intent of ESAA programs is to involve and help minority students and parents. Incredibly the Grand Junction school district has set up programs to do this and has hired only white for staff positions.

In addition, we feel Grand Junction district has not met the standards set forth in the law authorizing ESAA programs.

First is the obvious disregard of Title VI and of assurances signed by the district (required by ESAA programs), in their segregated hiring practices. Common sense indicates that all white monolingual staff can not implement multi-cultural programs, home-school involvement programs, or community awareness programs for minority parents and students.

Second, section 160982A of the act, requires that proposals be developed in full open consultation with community people. On November 9, 1973 the district announced a public meeting for November 14, 1973 to discuss the proposal (meeting the law's requirements of five days notice for hearings). On November 20, 1973 the finished proposal was submitted (meeting the minimum ten day requirement for notification). Reports from the community indicate, as do the minutes, that the meeting was poorly attended and had no real community involvement. In summary, we feel the district presented a program without any significant involvement from the Chicano community, the community whose needs the program was supposed to meetin.

Third no notices were sent in Spanish to Chicano parents thus violating the May 25, 1970 HEW memorandum, and also, for all practical purposes, nullifying the parent survey conducted by the program.

Fourth. Section 1609A2B of the act requires that an advisory committee be established to develop a proposal. The group must contain at least 50% minority people. When the proposal was submitted on November 20, 1973 the district had and Advisory Committee but one-half of its membership was not minority. After the proposal was submitted additional minority members were added. Obviously, the goals and purposes of the proposal reflected that inadequacy (violation of the law).

Fifth, Section 1607C2B of the act requires that local civic, action, and community organizations be included on the Advisory Committee. While the district included the Optimists, Jaycees, Kiwannis, etc., there was little or no membership from Chicano action and community organizations.

Sixth, the act required that the district submit a statement of assurances to the State Department of Education, two weeks before submission of their proposal. The district submitted their statement six days before their proposal.

Although Grand Junction has indicated willingness to move on some issues, they have refused to make significant efforts to change their segregated staff situation. The Grand Junction situation, like the San Luis problem, indicates that federal programs are sloppily processed, poorly run, and often not evaluated carefully. Several thousand pages of information already exist of the scandalous and illegal administration of Title I funds. The same holds true for federal ESAA and Title VII programs.

This is not to say, however, that such programs are not desperately needed and wanted. They are. However, when federal funds are allocated adequate funds should be included to process, monitor, aid and evaluate programs in such a way as to insure their effectiveness.

Massive funds should also be included to insure that minority students are trained for professional positions in these programs.

V. JOHNSTOWN PROGRAM

We do not wish to imply from the comments above that all federal efforts are ineffective or that all federal efforts are failures. Here in Colorado the Johnstown programs, a bilingual education projects, has been designated a model project by the Office of Education. That project is an outstanding example of what federal dollars can accomplish when combined with genuine participation from community parents. The project was begun four years ago in an atmosphere of hostility and suspicion. Today the voluntary program involves more than 65% of the elementary students enrolled at Johnstown Elementary. One half of the students enrolled in the program are Anglo, including the children of local Anglo school board members. Achievement level of Anglo and Chicano children participating in the Johnstown effort have increased markedly in two languages. Community people, both Anglos and Chicanos, who never communicated before are working cooperatively, and everyone involved in the program seems to feel that children are getting a superior education and a richer and broader education, because of their involvement in the bilingual program there.

The Johnstown project is a model of effective utilization of federal funds, but it is also an example of the cruelty of federal funds. After creating a project which really works, which has the total backing of the community, that project now faces a cut off of federal funds in one more year because Title VII funding can only run for five years.

VI. TEACHER HIRING

In our work throughout Colorado, we have found an acute shortage of Chicano teachers. There are only 522 Chicano teachers in the state of Colorado. To reach parity there would have to be a 680% increase in the number of Chicano teachers. (This information is from *Ethnic Distribution in Colordao Public Schools* published by the Colorado Department of Education, 1973, edition). Very few of these teachers are trained in the area of bilingual education. Even if sufficient funds were to become available for bilingual education, large amounts of money would have to be available to assure that bilingual teachers would receive adequate training.

In addition we feel that funds should be made available to establish privately run training programs to recruit Chicano high school students and to aid and supervise their progress through school in order to assure that more Chicano teachers would be available in the future. We believe that more federal funds are needed.

Alternatively, federal programs which have produced tangible results over a period of years might receive increased funding, while those projects which have failed would face defunding. (Such a system has been tried in Michigan with compensatory programs and has proved very effective).

VII. RECOMMENDATIONS FOR FEDERAL FUNDING

We do not feel that we can add significantly to the recommendations already presented to this Committee. We are in sympathy with the Kennedy, Montoya, and Cranston bill with the recommendations of the U.S. Civil Rights Commission study. We would like to reiterate as strongly as possible our concern that government programs must be adequately staffed, that adequate evaluation be available, and most importantly that there be community input into the design and implementation of bilingual programs. Without community input successful programs do not occur.

Four rationales for bilingual, bicultural education need stress:

1. The fact that bilingual, bicultural education is superior education.
2. The fact that this country until comparatively recently had a long history of bilingual, bicultural education.
3. The fact that bilingual education makes good economic sense.
4. The fact that meaningful bilingual education is a way of giving the American dream meaning for millions of American school children, Anglo and minority.

A brief discussion of each of these facts follows:

First, bilingual, bicultural education is superior education. Many foreign countries have always realized this fact and have found that multi-bilingually educated students do better on achievement tests in two or more languages. The Johnstown project here in Colorado has demonstrated that student performance on achievement tests improves in two languages!! Half of the students in the Johnstown project are Anglos. Thus significant gains have occurred not only for Chicanos, but also for Anglos who do as well or better on achievement tests in two languages! We can not stress strongly enough that bilingual, bicultural education is not a remedial, compensatory program, but a way of enriching and strengthening the educational experience for all students.

Second, this country has a long history of bilingual education. Multi-cultural, multi-lingual education was taught in America before English in the private day and evening schools.[1] English was not taught as a subject in the schools until 1750. Most of the founding fathers were bi or multi-lingual. It is only in the last forty or fifty years that we have gotten away from this traditional American concept. During World War II, because of the 10 or 20 year lapse in multi-lingual, multi-cultural education, the armed services had to set up special crash language programs.

Third, bilingual education makes good economic sense. Today the United States is the fifth largest Spanish speaking country in the world. By 2,000 there will be more Spanish speaking people in this hemisphere than English speaking people.[2] Recent development in the area of energy and ecology indicate that we will have to be members of a global community. To continue to play our traditional leadership role in world affairs we will have to produce large numbers of multi-lingual, multi-cultural speakers. The place to do this is in the public schools.

Finally, it is important to reemphasize that bilingual, or rather multi-lingual, multi-cultural education was an integral part of American education until comparatively recently. Meaningful bilingual, bicultural programs represent the essence of the American dream—true equality of educational opportunity for minority groups, and for Anglos, education for living in a pluralistic American society which respects and encourages all men and all cultures.

We would like to end on a personal note. Sometimes committees get totally caught up in the morass of figures, statistics, and experts which they hear, and somehow people get lost. We met with some Chicano high school students in Montrose last week. All of them were special education students. One of them had been a special education student since first grade. For all of these students special education was a road to failure. We asked them why they were in special education and they said, "Because we are slow, because we are dumber than the Anglos".

What all the statistics are talking about is children—children robbed of their language, robbed of their culture, robbed of their sense of worth. Such destruction of children is bad education, bad economics, bad politics, and immoral by anyone's standards. If the American dream is ever to be more than that you must move to halt the dehumanization of Chicano, Indian, and other minority children. We respectfully urge you to act on the mass of information before you. The solutions are available. Will the money be?

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[1] *A History of American Education.* H. G. Good, Macmillan Company, 1970, p. 69 Other material from pp. 542-546.

[2] Speech Josue Gonzalez. November 29, 1973 before an NEA Conference.